FEDERAL BUREAU OF INVESTIGATION
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NEW YORK, NEW YORK

~~CONFIDENTIAL~~
APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF Declass
DATE 4/14/81

LMC:JB
100-16314

January 8th, 1943

Director, FBI

RE: KURT MERTIG
INTERNAL SECURITY - G

Dear Sir:

Attached hereto are two copies each of reports submitted by Confidential Informant [redacted], whose identity is known to the Bureau, dated December 14th, 1942 and January 2nd, 1943, relative to the above captioned subject.

b7D

Your attention is particularly invited to report of January 2nd, 1943, in which MERTIG refers to FBI agents as glorified draft dodgers.

An active investigation is being conducted by this office at the present time relative to the activities of MERTIG under the Registration Act and also in connection with possible denaturalization proceedings.

ORIGINAL FILED IN 61-[illegible]

DECLASSIFIED BY SP9 GSK/BJA/RD
ON 1/31/81

Included in Richard A. Rapp of Johnson - 2/-6/43 re Mertig DAF

Very truly yours,

P. E. FOXWORTH,
Assistant Director

Enclosures - 2
cc - 62-6772

RECORDED

65-20553-31

FEDERAL BUREAU OF INVESTIGATION
JAN 12 1943
U. S. DEPARTMENT OF JUSTICE

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 1/31/81 BY SP-1 GSK/BJA/RD~~

FILED

NO: 311

January 2, 1942 Page One

The writer spoke with Kurt Mertig, 317 East 54th St., N.Y.C. today. He showed the writer a petition which he is preparing to send to all members of the Senate and House of Representatives in the new Congress seeking their assistance in revoking Army rules which permit the removal of citizens inland. Mertig refers to FBI agents as "glorified draft dodgers."

Mertig seeks to engage legal counsel to fight any Army order which may remove him inland. He says that he will seek a writ of certiorari or habeas corpus should he ordered out of this area. He has also communicated with the Civil Liberties Union requesting their assistance and has received a reply that he should advise them when and if he receives an Army order to get out.

Mertig has written again to President Roosevelt denouncing Army powers to remove citizens inland and protesting that such powers are unconstitutional and quoting Justice Davis' decision on the Milligan case of the Civil War.

He has also filed with the Second Service Command an "exception" to the proceedings of his military hearing and has forwarded same to General Hugh Drum.

Mertig advises the writer that a group of German women have just returned from Tennessee where they visited their interned husbands and conferred with the military commander of

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ENCLOSURE
RECORDED
15-20553-31
U.S. DEPARTMENT OF JUSTICE

the internment camp and protested to him over the confinement of their husbands.

Mertig says that these women told him that the commander was very sympathetic and himself expressed doubt as to the reason for some of them being interned. He is alleged to have said that it wasn't the first time that the FBI had interned innocent persons. He asserted that he was without power to release them. Mertig claims that this military commander is wholly sympathetic to the Germans. He did not give his name.

[redacted] b7D

No: 296

10117

December 14th, 1942

Page One

The writer saw Kurt Mertig today and learned that he will appear before an Army Board on Wednesday, December 16th, 1942 relative to possible removal to the Middle West. Kurt Mertig says he will appear before the Board.

Mertig is continuing to give assistance to German nationals in this area. Today, he wrote a letter on behalf of a German national who has been inducted into the Army and who refuses to bear arms. Mertig says he had communicated with the Army authorities seeking the release of this German inductee.

Mertig says that he has been informed by Nazi friends in Yorkville that the FBI has been inquiring about him amongst aliens detained at Ellis Island. He says he is worried over this because some of these German nationals may disclose that they gave him money for the services he rendered them.

Mertig disclosed to the writer for the first time, the fact that he plans to return to Germany after the war to accept a position which is open to him in Government service in the merchant marine. Confidentially speaking, he added that Willi Mitchell had arranged this position for him in return for whatever work he did on his behalf.

ENCLOSURE

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65-20553-31

FEDERAL [illegible]

JAN 12 1943

U.S. DEPARTMENT OF JUSTICE

b7D

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 1/21/81 BY SP-1 [illegible]

Federal Bureau of Investigation
United States Department of Justice

RAJ:JLW
100-16314

New York, N. Y.
January 15, 1943

Director, F. B. I.

RE: KURT MERTIG
INTERNAL SECURITY - G
DENATURALIZATION PROCEEDINGS

Dear Sir:-

Enclosed are two copies of two letters written by KURT MERTIG, which are self-explanatory.

In connection with these letters, it may be pointed out that the instance referred to by MERTIG with reference to the search of his apartment is covered in the report of Special Agent Richard A. Johnson, dated November 2, 1942, at New York, N.Y.

It should also be stated that MERTIG was recently given a hearing by the Army Exclusion Board, and it was decided to exclude him from the area of the Eastern Defense Command, subject to review by higher Army authorities.

Mr. R. R. DANN, Assistant United States Attorney, Southern District of New York, has advised this office that he intends to call MERTIG before the Grand Jury in the very near future, in an effort to determine whether MERTIG will commit perjury before the Grand Jury, as the basis for future prosecution.

A report covering the recent investigation of MERTIG will be submitted within a short time.

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DATE 1-31-81 BY SP-1 GSK/BJN/RLS

Very truly yours,

P. E. Foxworth
P. E. FOXWORTH,
Assistant Director.

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R250 AUG 22 1960

ENCS.

RECORDED 65-21553-32

9 JAN 16 1943

FOR VICTORY BUY UNITED STATES SAVINGS BONDS AND STAMPS

COPY IN FILE

COPY

New York, N.Y., January 8, 1943
317 E. 54th St.

General Hugh A. Drum
Commander
Second Service Command Headquarters

re: Evacuation Board Hearing
on Dec. 16, 1942 at room 1411,
50 Broadway, New York City,
re: Kurt Mertig, 317 E. 54th St.
New York City.

Dear Sir:-

I beg to enclose copy of my letter written under yesterday's date to Attorney General Biddle.

This letter explains perhaps better the beginning of the whole proceedings against me than may have been elicited at the above mentioned hearing. It will also further clarify the reason, why I objected to attempts of an illegal search of my premises by five agents of the F. B. I. on October 14th, 1942.

Maj. Jaxon informs me to-day that he positively will have his statement ready by to-morrow. He regrets delay caused by intervening holidays.

Respectfully yours,

S/ Kurt Mertig

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ENCLOSURE 15-[illegible] 32

COPY

CITIZENS' PROTECTIVE LEAGUE

(Equal Rights For All)

KURT MERTIG, Chairman

New York, N. Y., Jan. 7, 1943
317 E. 54th St.

Hon. Francis Biddle
The Attorney General
Department of Justice Building
Washington, D. C.

Dear Sir:-

On the morning of October 14, 1942 five special agents of the FBI came to the undersigned's private premises, announced their official standing and declared their intention to search my premises without a proper search warrant.

b3

When I resisted this apparent attempt to impose upon presumed ignorance, by me, of the proper procedure, the five agents called this "lack of co-operation on my part" and then asked me to sign a waiver of my right to be served with a search warrant.

When I still insisted on the proper constitutional way, the five agents composing this "commando raid", asked me to accompany them to the headquarters of the FBI and the office of the U. S. Attorney, Matthias F. Correa, at the U. S. Court Building, New York City, to which I good-naturedly gave ready assent, although I was by no means obliged to do so.

I then pointed out to Exe. Asst. U. S. Attorney, John F. Sonnett that the absence of a search warrant in the hands of my visitors had obviously resulted from the fact that the request for my presence and for the producing of my papers upon call of the five agents, had not been accompanied by the making against me of any formal charge of misconduct, and that the absence of such charge was in turn based very obviously upon

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ENCLOSURE 32

the non-existence of such misconduct on my part; and that the repeated attempts to execute a search without a warrant was therefore quite manifestly a contumacious and thoroughly un-American attempt to by-pass my consitutional rights.

When Mr. Sonnett gave indication that he recognized the correctness of the position thus stated by me, I at once reciprocated by signing the waiver without further controversy, was accompanied back to my residence by four of the agents who then proceeded from 1.30 PM to 5.30 PM to make the search, gave me a receipt for the documents which seemed suited to their purpose and promised to restore them to me within "a couple of days".-

The only complaint I have against the five FBI agents (who in every other respect behaved like gentlemen) is that my neighbors were widely informed by them concerning the official identify and the purpose of their visit and thus had created the impression that I suddenly was unmasked and taken away as an undesirable and disloyal citizen, which happens to be the exact opposite of the truth, and to be quite inconsistent with the fact that I have repeatedly been nominated by my neighbors as a candidate for responsible electoral honors.

Such procedure, if authorized by the Federal Bureau of Investigation, tends to provide our newspapers with a basis of highly colored and sensational recitals which are not only very cruel to innocent victims of such trade practices, but also tend to create in the minds of persons not yet empaneled as jurors -- and therefore at liberty to read such misleading newspaper recitals-- a highly prejudiced presumption of guilt, even before the trial of a defendant has officially commenced.

When my papers were not returned within a few days, I called on Exe. Asst. U. S. Attorney John F. Sonnett to ask for the return of same and to ask him also for the reason of [redacted] and the reason for asking me to sign a waiver to permit the five agents of the FBI to search my premises without a search warrant to which Mr. Sonnett replied in the presence of F.B.I. agent R. A. Johnson, that I did not stand charged with any crime to which I retorted that the fact nevertheless remained that I was inconvenienced by the search of my home, the unfavorable reports spread among my neighbors and the sequestration of my papers and that I therefore insisted to find out what the rumpus was about, and in particular desired to be afforded an opportunity of testifying and giving evidence before the Federal Grand Jury in regard to an alleged violation of Title 18, Section 88, U. S. Code, as stated on the subpoena above referred to. b3

[redacted]

Also on suggestion of Judge Knox I wrote to Mr. Sonnett of Mr. Correa's staff on November 10, December 5 and Dec. 28, 1942 as per attached copies to [redacted] subject me to an examination, as I desired as an American citizen to put an end definitely to any whispering campaign emanating from his office or that of the Federal Bureau of Investigation, but I did not get any response. b3

And now I finally write to you to kindly look into this matter, because if no charge can be presented either against the Citizens' Protective League or myself, I feel that I am entitled to a letter from you testifying to my good citizenship and giving me a clean Bill of Health.

I maintain in the first place that as a loyal American citizen, I should not, as previously stated, have been inconvenienced; and, in the second place, that an unsheathed sword should not be kept hanging over my head for such a long time.

I claim that the "commando raid" of October 14th, 1942 has been nothing but a "fishing expedition" and that any "facts" allowed to be imagined, as having existence in the background, are in reality non-existent; and that this illegal attempt of a raid on my apartment has therefore been inspired by somebody's guesswork and possible malice and smacks of persecution.-

Initiating such proceedings on suspicion so baseless and so absurdly unsubstantiated can only result in nebulous situations and detract from the dignity of the Law.-

The true administration of justice is the firmest pillar of good Government!-

Will you therefore be so good to investigate this matter and thereupon write me a letter absolving the Citizens' Protective League and me of any charges of conspiracy, misconduct, disorderly conduct or what have you and oblige.

very sincerely yours,

/s/ Kurt Mertig
chairman
CITIZENS' PROTECTIVE LEAGUE

SC:PH
65-20553-31

PERSONAL ATTENTION

May 31, 1943

SAC, New York

RE: KURT MERTIG
DENATURALIZATION PROCEEDINGS - G
INDIVIDUAL EXCLUSION ORDER

Dear Sir:

Reference is made to your letter of January 15, 1943 in which the Bureau was advised that subject Mertig was given a hearing by an Army Exclusion Board, which Board had decided to exclude him from the area of the Eastern Defense Command. By your letter of April 30, 1943 you advised that Mr. John F. Sonnett, Assistant United States Attorney for the Southern District of New York, advised it was his opinion that the exclusion order against Kurt Mertig would explain all that could be desired with respect to the filing of a complaint toward the denaturalization of subject Mertig.

The Bureau files fail to indicate that the New York office has ever complied with the instructions contained in Bureau Bulletin #67, dated November 11, 1942, First Series, 1942, with regard to the reporting of individuals who are considered and excluded from various military areas. It should be unnecessary to call delinquencies of this kind to your attention, and you are instructed to immediately advise the Bureau as to all particulars in this regard.

Very truly yours,

John Edgar Hoover
Director

r. Tolson
r. E.A. Tamm
r. Clegg
r. Coffey
r. Glavin
r. Ladd
r. Nichols
r. Rosen
r. Tracy
r. Carson
r. Harbo
r. Hendon
r. McGuire
r. Mumford
r. Piper
r. Quinn Tamm
r. Nease
ss Gandy

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MAY 31 1943 P.M.

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55 JUN 4 1943

PROTECTIVE

10107

(EQUAL RIGHTS FOR ALL)

MEETINGS EVERY MONDAY, 8:30 P.M. AT NEW YORK TURNHALL, COR. 85TH STREET & LEXINGTON AVE., N.Y.C.

KURT MERTIG, CHAIRMAN

NEW YORK, N.Y. January 12, 1943.
~~XXXX LEXINGTON AVE~~
317 E. 54th St.

OFFICE OF THE ATTORNEY GENERAL
RECEIVED
JAN 13 1943

Hon. Francis Biddle
The Attorney General
Department of Justice Building
Washington, D. C.

Dear Sir:-

As the undersigned will be in your city to-morrow on some private business, he will take the liberty of calling on you with reference to the matter fully described in attached copy of letter dated January 7th, 1943.

Yours very truly,

Kurt Mertig

Kurt Mertig
chairman
CITIZENS' PROTECTIVE LEAGUE

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Do ack. This man has acted as "front" for known members of the Nazi party. He is a problem letter writer always claiming that Germans are being mistreated.
GBH

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65-20553 33
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176

NEW YORK, NEW YORK

OHB:AM
100-16314

February 8, 1943

Director, FBI

RE: KURT MERTIG
INTERNAL SECURITY - G
DENATURALIZATION PROCEEDINGS

Dear Sir:

Enclosed herewith is the original and a copy of two separate reports furnished this office by confidential informant [redacted] concerning KURT MERTIG. The dates of these reports are January 17, 1943, and January 29, 1943.

b7D

For the information of the Bureau this case is being investigated.

Very truly yours,

E. E. CONROY, SAC

Limited Classification
Review Conducted
See Top Serial
Form 4-174

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DATE 1/31/81 BY SP9 [illegible]/RU

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Enclosures - 4
cc - NY File #62-6772

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FEDERAL BUREAU OF INVESTIGATION
FEB 12 1943 P.M.
U. S. DEPARTMENT OF JUSTICE

FILE

INITIALS ON ORIGINAL

ORIGINAL FILED IN 61-9879-453

No: 310

January 17th, 1943 Page One

The writer spoke with Kurt Mertig, 217 East 54th St. N.Y.C. He showed the writer a petition which he is preparing to send to all members of the Senate and House of Representatives in the New Congress seeking their assistance in revoking Army rules which permit the removal of citizens inland. Mertig refers to FBI agents as "full-fledged glorified draft dodgers."

Mertig seeks to engage legal counsel to fight any Army order which may remove him inland. He says that he will seek a writ of certiorari or habeas corpus should he be ordered out of this area. He has also communicated with the Civil Liberties Union requesting their assistance and has received a reply that he should advise them when and if he receives an Army order to get out.

Mertig has written again to President Roosevelt denouncing Army powers to remove citizens inland and protesting that such powers are unconstitutional and quoting Justice Davis' decision on the Milligan case of the Civil War.

He has also filed with the Second Service Command an "exception" to the proceedings of his military hearing and has forwarded same to General Hugh Drum.

Mertig advises the writer that a group of German women have returned from Tenessee where they visited their interned husbands and conferred with the military commander of the internment camp and protested to him over the confinement of their husbands.

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ORIGINAL FILED IN 61-9971

Rating - Good - [illegible]

Mertig says that these women told him that the commander was very sympathetic and himself expressed doubt as to the reason for some of them being interned. He is alleged to have said that it wasn't the first time that the FBI had interned innocent persons. He asserted that he was without power to release them. Mertig claims that this military commander is wholly sympathetic to the Germans. He did not give his name.

[redacted] b7D

No: 321

January 29th, 1943 Page One

The writer visited Kurt Mertig at his home last night. The wife of Paul A.W. Scholz was present. Mertig was writing a letter on his typewriter for Mrs. Scholz which she intended to mail to her husband in Atlanta.

The letter contained reference to the apprehension of Paul Grohs in an indirect way. She had Mertig say in the letter that Paul Grohs' daughter was very ill and that the family was terribly upset. She said that Paul Scholz would understand that Grohs was in trouble.

Mrs. Scholz said that she read of Grohs apprehension in the newspaper and wanted her husband to know. Mrs. Scholz said that a friend of Scholz or Grohs must have turned him over to the FBI and she added bitterly that her husband would never had received such a severe sentence if he had been cooperative except that he wanted to protect others and therefore sacrificed his own cause. It appeared that Mrs. Scholz felt that Paul Scholz might now be more amenable to divulge what he knows.

Kurt Mertig told the writer ~~after Mrs. Scholz left~~ that he had gone to Washington, D.C. ~~specially to see the~~ Attorney General to protest the method of his interrogation and search by the FBI and that he spoke to two officials of the FBI named Messrs. Walsh and Flynn. He said that he was accompanied by the only associate he has Maj. Honore ~~Jaxen. After an~~ interview with the FBI he says that they visited a Congressman whom he knows

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INDEXED

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Rating - Good - MP

and told him of his plight with the Federal authorities. He said that the Congressman told him that he thought he was stirring up a hornet's nest and that if he were Mertig he would lay low. This advice did not appease Mr. Mertig and he told the writer that he will appear in Federal Court next week when Helmuth Leiner goes on trial and will testify on his behalf if the defense attorney so decides.

Mertig told the writer that recently he was approached by a German employed by the Navy Yard in Brooklyn seeking a lawyer to defend him on a charge of possessing brass knuckles. Mertig aided him in securing counsel. He brought him to Edwin Livingston, counsel for several espionage suspects and he referred him to an Italian associate who accepted the case. Mertig says that this German is a good Nazi and that he was glad to assist him in his difficulties. The writer was unable to determine the name of this person, however, the case was mentioned in the press.

Mertig further stated that Henry Elsen was to see him recently and bid him farewell. Elsen said he would turn his citizenship papers in and be subsequently interned as an alien. Elsen told Mertig that he wanted to be sure of being sent back to Germany because he did not want to face a revolution and inflation in the U.S. because he experienced it in Germany.

Mertig now says that he too is sorry he did not go back to Germany and give up his citizenship here.

Mertig says he has filed a petition with the House

No: 321

January 29th, 1943

Judiciary Committee urging Congress to prohibit Presidential power to have citizens removed by the Army inland.

[redacted] b7D

DAF:TD
5-13-43

RECORDED 65-20553-35

MEMORANDUM FOR MR. LAWRENCE M. C. SMITH
CHIEF, SPECIAL WAR POLICIES UNIT

Re: Kurt Mertig

Your attention is directed to the communications between this Bureau and the Department relating to the activities of the above captioned subject. For your ready reference, these communications are set forth hereinafter.

Memorandum dated April 14, 1942, entitled CITIZENS PROTECTIVE LEAGUE, New York City; KURT MERTIG et al SEDITION, forwarded to this Bureau by the Criminal Division.

Memorandum dated May 6, 1942, forwarded to the Criminal Division entitled KURT MERTIG; CITIZENS PROTECTIVE LEAGUE, New York City; SEDITION.

Report of Special Agent S. H. Moore, dated July 22, 1942, at New York City entitled KURT MERTIG; INTERNAL SECURITY (G), a copy of which was forwarded to the Criminal Division on August 25, 1942.

Memorandum to the Criminal Division dated September 4, 1942, suggesting the institution of denaturalization proceedings against Kurt Mertig.

Memorandum dated July 23, 1942, from the Special War Policies Unit entitled CITIZENS PROTECTIVE LEAGUE.

Memorandum dated August 21, 1942, to the Special War Policies Unit entitled CITIZENS PROTECTIVE LEAGUE.

Report of Special Agent Richard A. Johnson, dated September 16, 1942, at New York City, entitled KURT MERTIG; INTERNAL SECURITY (G), a copy of which was forwarded to the Criminal Division on September 29, 1942.

Memorandum to the Criminal Division dated October 1, 1942, entitled KURT MERTIG; CITIZENS PROTECTIVE LEAGUE, New York City.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. McGuire
Mr. Mumford
Mr. Piper
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

COMMUNICATIONS SECTION
MAY 10 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

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DATE 2/4/81 BY SP-1 65K/BJA/RLJ

Memorandum from the Criminal Division dated October 7, 1942, entitled KURT MERTIG; CITIZENS PROTECTIVE LEAGUE, New York City

Memorandum from the Criminal Division dated October 8, 1942, entitled KURT MERTIG, requesting certain investigation prior to consideration of denaturalization proceedings

Report of Special Agent Richard A. Johnson, dated November 2, 1942, at New York City, entitled KURT MERTIG; INTERNAL SECURITY (G), a copy of which was forwarded to the Criminal Division on April 12, 1943.

At this time there is inclosed one copy of the report of Special Agent Richard A. Johnson, dated February 26, 1943, at New York City, entitled KURT MERTIG; INTERNAL SECURITY (G): DENATURALIZATION PROCEEDINGS.

There is also inclosed a copy of the report of Special Agent Richard A. Johnson, dated December 15, 1942, at New York City, entitled CARL HENRICK VAN OPHEMERT; INTERNAL SECURITY - G: ALIEN ENEMY CONTROL. This latter investigation grew out of the investigation of Kurt Mertig and may contain some information of interest to this case.

It may also be of interest to note in the examination of the "cash receipts and disbursements" book of the Hansa-Lloyd International Commercial and Travel Service Inc., New York City, it was determined under date of February 24, 1941, a payment of $50.00 was debited to commissions paid to Kurt Mertig. It was also found that under date of January 21, 1941, a debit of $1.10 was made to cables payable to Willy Mitchell who prior to his repatriation aboard the DROTTWINGHOLM in June 1942 resided for some period with Kurt Mertig. Mitchell, as will be seen from the various reports made available to the Department, apparently was in a position of authority with respect to members of the National Socialist German Workers Party in the United States. He, himself, is a member of the Nazi Party and was interested in effecting the repatriation of Axis nationals believed to be members of the Nazi Party prior to the time of his departure. After his departure, indications are that Mertig assumed this role and for a period of time apparently had at least the passive approval of Swiss authorities who were handling the affairs of German nationals as they pertain to repatriation and other matters. The

65-7563-62

investigative reports with reference to the Hansa-Lloyd International Commercial and Travel Service Inc., New York City, have previously been made available to your Unit.

Reference at this time is made to the report of Special Agent Richard A. Johnson, dated February 26, 1943, as set out hereinbefore. Specific attention is called to page 25 thereof setting forth a letter addressed to the Attorney General prepared by Kurt Hertig concerning the investigation of him made by this Bureau. As can be seen from the material made available, Hertig is a prolific letter writer both on his own behalf and on the behalf of any German-American who approaches him. He has protested the Army Exclusion Order program, the indictment of Helmut Leiner for treason, the Alien Enemy Control program and the Selective Service System wherein German aliens have been inducted into the United States Army. The letter addressed to the Attorney General was referred to this Bureau and is available for any future reference which you may care to make thereto.

Under date of January 13, 1943, Kurt Hertig was interviewed by Mr. Rotnam of the Department and was later referred to this Bureau by Judge Holtzoff, at which time he left a copy of his letter dated January 7, 1943, and a copy of an additional letter dated January 12, 1943, addressed to the Attorney General and stating that he would be in Washington on January 13, 1943, and requesting an audience on that day. At the time of Hertig's call at this Bureau he was accompanied by Major Honore Joseph Jaxon. An attempt was made to determine the basis for his complaint and in the main it appeared he felt that his reputation had been damaged by the investigation made of him by this Bureau and that as a result of this investigation rumors were current among his neighbors. He could not submit any specific facts in this regard and was shifty and evasive when asked for specific allegations.

During this interview he was requested to submit any information which he might possess with reference to Willy Mitchell who formerly resided with him. Again he was evasive, stating that he was not aware of the fact that Mitchell was a member of the National Socialist German Workers Party. He even went so far as to state that even had he known of such membership he would not have reported it to the authorities since it was not against the law to be a member of the Nazi Party. He contended that he was thoroughly patriotic and never engaged in a violation of any law. He contended that there were certain interests which were attempt-

ing to cancel him and in this regard he was specifically questioned and stated that it was his belief that a reporter of a Communist newspaper in Yorkville had made unfounded allegations against him and perhaps submitted information to the Non-Sectarian Anti-Nazi League in New York City which, in turn, was supplied to the Dies Committee. He further stated it was his belief that the Dies Committee had given information concerning him to the Attorney General who, in turn, had made it available to the FBI and this was the real basis for the investigation being made at the present time. He offered no substantiation for his theories along this line and it was obvious from his answers that he had no substantiation for his contentions. The jurisdiction of this Bureau was clearly explained to him, but he apparently was not fully satisfied since he desired some clearance either from this Bureau or the Department in order to negative the investigation which had been made.

With reference to Major Honoré Joseph Jaxon who accompanied Kertig, it is noted that he entered into the interview quite vigorously relative to the patriotism of Kertig and his humanitarianism in assisting persecuted German-Americans. Jaxon, who stated he is 83 years of age, advised that he had been a strong supporter of President Roosevelt and a Jeffersonian democrat all his life. He indicated also certain other political activities for the Democratic Party which were not considered pertinent to the subject matter. Before the end of the interview he launched into a vicious tirade against the Jews, claiming the time would come when every Christian American would have to ask the Jews for employment. Major Jaxon apparently caused Kertig some embarrassment because of his radical statements, since Kertig during this harangue pointed to Major Jaxon in a manner indicating that he was mentally deranged. As of possible interest, the following material, other than references made to him in the reports concerning Kertig, was extracted from the files of this Bureau. (Interviewed by E. Welch & D.A. Flynn 1/13/43.)

Major H. J. Jaxon was referred to this Bureau in September 1918 as one possessing valuable data relative to Indian matters. He was interviewed at that time by an employee of this Bureau at his home, 1751 West Lake Street, Chicago, Illinois. During this interview it was revealed by Major Jaxon that he was a half-breed French-Canadian Indian of the Rainbow Tribe and had been an envoy for this tribe at all of its conferences with other tribes and had also visited different organizations in Mexico and South America. He related that an Indian from the

OG 307515

Saskatchewan District had recently called on him and told him there was to be a Congress of various Indian tribes at Pierre, South Dakota, on September 25-28, 1918 and that German agents were to be present to spread propaganda among them. He enlarged somewhat on this matter; however, he had no real, specific information. The comment was made at that time that Major Jaxon was highly educated, a newspaper writer and a poet whose writings had appeared on the editorial pages of Chicago daily newspapers. He claimed to be a keen student of military strategy and contended he was a leader of revolutionists throughout Mexico and South America at one time. He further alleged that he was tried by England on a charge of treason. Major Jaxon stated that he was appointed a Major while fighting on the side of the French-Canadian Half-breeds against England in 1885.

He advised that he had been an anarchist for 25 years and then was busy addressing Russian anarchistic meetings in Chicago and presided as chairman at most of them; however, he contended he was loyal to the United States. He also alleged that he was known to most of the leaders of the I.W.W. organization and had attended many of their meetings. Major Jaxon at that time lived in the most frugal surroundings among a mass of books, magazines and papers. It was noted also that Major Jaxon even at that time appeared to have seen better days and concluded the interview by requesting that he be recommended as an employee of the Bureau to combat the German agents spreading propaganda among the Indian tribes.

Under date of January 11, 1938, Congressman Samuel Dickstein of New York forwarded a report to this Bureau dated January 3, 1938, prepared by Richard Rollins whom he described as one of his own investigators. Richard Rollins was formerly an investigator for the Non-Sectarian Anti-Nazi League and more recently was inducted into the United States Army. The report rendered by Rollins covered a meeting at the Turn Halle, 85th
61-7560-600 Street and Lexington Avenue, New York City, on January 3, 1938. The subject discussed at this meeting was the vindication of Richard Bruno Hauptmann, the Lindbergh baby kidnaper. The meeting was under the direction of the Citizens Protective League and the speakers included Major Honore Jaxon, Pastor John Mathiesson, Trenton, New Jersey, and Thomas Rice, formerly Assistant Attorney General at Washington. A vicious attack was made on the then Attorney General, Honorable Homer S. Cummings, and the FBI by Thomas Rice who urged impeachment, alleging that all of the facts in the Lindbergh case had not been released. He criticized James Roosevelt,

the President's son, as well as the President, stating that Hauptmann had been railroaded. The audience, according to Rollins, was made up of approximately 50% Nazi sympathizers. Kurt Hertig announced a mass meeting for January 13, 1938, at the same hall.

In January 1941, Raymond Joseph Healy wrote a series of articles for Miami Life, Miami, Florida, based upon his alleged experience as a member of subversive organizations. In this series of articles he stated, in part,

> "Two weeks following the 1936 Presidential election I published and distributed 1000 leaflets calling a political meeting. The subject was the 'Significance of Roosevelt's re-election.' About fifteen minutes after I had called to order the meeting, detectives and uniformed policemen entered the Atlantic Gardens, where this meeting was being held, and with drawn pistols approached me presenting a warrant for my arrest. I turned the meeting over to Honore Joseph Jaxon, a French-Canadian Indian, who in his early days was a fur trapper and a wild game hunter in the wilds of the Canadian Woods and who is now Laureate of the Nazi movement in the City of New York ....."

65-6990-35

No other references are available concerning Major Honore Joseph Jaxon.

Information has recently been submitted by a confidential source who was recently in contact with Kurt Hertig that he has heard nothing further with reference to the action taken concerning the individual exclusion order hearing given him by the military authorities. This source stated that Hertig is still writing letters of protest and acting in an advisory capacity for Germans, both alien and naturalized, as he has done in the past. Hertig also discussed two instances, without naming names of rumors which he had allegedly picked up from persons familiar with Russia that they were convinced Germany would finally defeat Russia. He also indicated that he has sought the assistance of Judge N. W. Rogers of Tompkins Corners, New York, in an effort to prevent his evacuation from the New York military area. According to this source, Rogers has been active in certain phases of Nazi propaganda, specifically the publication of anti-Semitic pamphlets which he wrote and paid for and which were printed by

61-9879-537

the Nazi National Press Association which was owned and operated by Peter H. Stahrenberg. It was further stated that Rogers was also a close associate of Hertig in his pro-Nazi Citizens Protective League and with Louis Zahne and Willy Mitchell, both of whom in the past have been active National Socialists. In conclusion, it was stated that when Hertig sought the assistance of Rogers the latter curtly informed him that he did not want to impair his patriotism by aiding Hertig. As a consequence, Hertig is very bitter toward his former associate.

It will be noted that from the material supplied with reference to Hertig, he apparently officiated in some capacity for the Swiss authorities in furthering repatriation of German Nationals. He contends that he did not receive any money for this activity; however, as will be noted from the report of Special Agent Richard A. Johnson dated February 26, 1943, at New York City, he admitted under oath before the Exclusion Hearing Board that he received the sum of $100.00 on one occasion and small amounts of money which were allegedly forced upon him on other occasions.

It is possible that because of this activity Hertig has acted in violation of Section 1, subsection c (3) of the Foreign Agents Registration Act of 1938, as amended, in that he assumed or purported to act within the United States as an agent of a foreign principal as defined in Subsection c (1) and (2) of this same section. Advice is desired as to whether in your opinion the activities as engaged in by Hertig would justify prosecutive action on this theory.

The Criminal Division, which is being supplied a copy of this memorandum, is requested to advise as to whether the facts developed to date in its opinion would justify the initiation of denaturalization proceedings. In this latter regard, Mr. John F. Sonnett, Assistant United States Attorney for the Southern District of New York, has recently stated that his office was considering the facts of this case, but at this time felt that no complaint would be filed looking toward the denaturalization of Hertig.

Very truly yours,

John Edgar Hoover
Director

Enclosure
cc Mr. Wendell Berge

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT NEW YORK, NEW YORK

NY FILE NO. 100-16314 DAL

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
NEW YORK, NEW YORK	2/26/43	10/19,24/42 11,2,24,25/42 12/1,12/19/42 1/12-16,19-20/43 2/1-5/43	RICHARD A. JOHNSON
TITLE KURT MERTIG			CHARACTER OF CASE INTERNAL SECURITY - G. DENATURALIZATION PROCEEDINGS

SYNOPSIS OF FACTS: A check of the list of alleged party members found in subject's home indicates all but very few have returned to Germany. Aliens who have contacted Mertig on repatriation interviewed with negative results as to payment of money. Subject's connections with Die Neue Woche set forth. Mertig apparently expecting to return to Germany at end of war to take position which Willi Mitchell got for him as reward for services in U.S. No source of income discovered. USA is studying facts as to denaturalization. Subject has been ordered excluded from Eastern military area by Army authorities.

Limited Classification
Review Conducted
See Top Serial
Form 4-774

- P -

REFERENCE: Report of Special Agent RICHARD A. JOHNSON dated at New York on November 2, 1942.

DETAILS: Special Agent FREDERICK L. SCOFIELD compared the lists found at MERTIG's home on October 14, 1942 with the manifests of the various repatriation ships which lists are maintained at Ellis Island. From a comparison of the so called MITCHELL LISTS with these manifests it appears that a great majority of the persons on that list have already been repatriated to Germany. The remainder of these are broken up into two groups; those who have already been interned as enemy aliens and a group of approximately 10 enemy aliens who have not been interned. The names of these have been submitted to the United States Attorney in order to obtain Executive Search Warrants or Presidential Warrants where necessary. As to other alien enemies on whom files of correspondence were found in MERTIG's house at the time of search, the following have been interviewed by the writer:

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/15/82 BY SP1 [illegible]

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
		65	2-0558-T.35

RECORDED
INDEXED

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5 - Bureau
1 - Capt. R. C. MacFall (ONI)
1 - Col. S. V. Constant (G2)
2 - USA SDNY
2 - New York

RECEIVED
MAR 1 1943
FBI - NEW YORK

10-6-43 CR. DIR. ATT. [illegible]

5/14/43 - [illegible]

Miss PAULA ZIMMERMAN of 304 East 86 Street, New York City, advised that, with respect to her attempts to be repatriated, she had first been approached at the German Nurses Registry to return to Germany in order to accompany Doctor and Mrs. HANS GROS and their three children on the diplomatic exchange ship after the outbreak of the war. However, permission had been refused by the State Department and she had then gone to the Swiss Consulate who advised her to write to the Swiss Embassy directly to Washington. During this time, and sometime in March 1942, she met WILLI MITCHELL one night in a store in Yorkville. She recalled having known him as a former member of the REICHDEUTSCHE VEREINIGUNG of which she herself was a member. He asked her if she desired to return to Germany and she told him about the experience above noted. He said that he felt he would be able to help her and would submit her name to Washington on a list which he was at that time preparing. At the Swiss Consulate in New York she was later advised that MITCHELL had, in fact, turned her name over to them but again advised that she write to Washington herself. She stated that she had not seen MITCHELL again and was surprised at this because he stated to her that he was not contemplating returning to Germany until much later. She later heard that MITCHELL had returned to Germany from one KURT MERTIG who wrote to her advising her of this fact and stating that he had been requested by the Swiss Consulate to keep in touch with her and that he was presently engaged in helping people who wished to be repatriated. She got in touch with him and he informed her that she would hear from him directly when permission had been given for her repatriation. She stated that she had seen him two or three times since to ask how the repatriation scheme was progressing. She last saw him about July 1, 1942. She stated that he had never asked for any money and that she had not offered him any. She later went to the Swiss Consulate again and was informed that exchange negotiations had been broken off. It should be pointed out that PAULA ZIMMERMAN was arrested on a Presidential Warrant and is presently being held at Ellis Island.

JOHANNA RENZ, 1248 Lexington Avenue, New York City, advised that she knew KURT MERTIG but that her only connection with him had been one time when MERTIG had helped her to find the address of a customer who had left a piece of jewelry with her for repair. The pin was inadvertently given to the wrong customer and MERTIG had gotten it back from that person and returned it to her. She had gone to MERTIG because she knew that he was well known in Yorkville and would possibly have the address of this customer. She stated that MERTIG has not written any letters with respect to repatriation for her. She has known him for years but cannot recall how they first met. She knew that WILLI MITCHELL and MERTIG lived together, but stated that she did not like MITCHELL who was a busy body. She stated that her only steps with respect to repatriation were through the Swiss Consulate where she had talked with Mr. WALKER who is in charge of the Department of Foreign Interests. It should be pointed out that Mrs. RENZ' husband, HANS, has been interned as an alien enemy and was probably not disposed to cooperate. It will be noted further that the names of HANS and JOHANNA RENZ appear as number 21 and 22 on the MITCHELL LIST.

Mrs. RENZ did not mention this fact to the writer.

Mrs. MARIA KRAEMER of 178 East 85 Street, New York City, advised that in January 1942 she had gone to the Swiss Consulate to inquire about repatriation because her husband and two sons were caught in Germany at the outbreak of the war, having gone over for the Leipzig Fair. She stated that she cannot account for the fact that her name appeared on the list of repatriots prepared by MITCHELL except for the fact that her sister, MRS. KRETSCHMER knew WILLI MITCHELL and may have given him her name. Mrs. KRETSCHMER also spoke to the Swiss Embassy in Washington for her. When she did not hear anything from Washington, her sister prevailed on her to talk to MERTIG and she and her sister went to MERTIG's house. MERTIG apparently knew about the case and typed a letter to the Swiss Legation for her, which letter was dated June 22. He himself put the stamp on it and she mailed it. He had at no time suggested that she pay him for his services and when offered money he refused it. She stated that she did not know what MERTIG's interest was in the proceeding and he never volunteered any information on this score.

Mr. CHARLES F. UNGER of 1666 Second Avenue, New York City, stated that due to the fact that his business was knocked out by the war and he faced the possibility of no longer being able to make a living in this country, he had gone to the Swiss Consulate early in 1942 and talked with Mr. WALKER. Subsequent to that he went two or three times. He finally filled in an application for repatriation with his wife and sent it directly to Washington. He had two acknowledgments from Washington on his application. He had heard that MERTIG had taken over MITCHELL's place in the repatriation scheme but gossip in Yorkville had it that MERTIG had been kicked out of the Swiss Consulate over some trouble he had with them. However, he had never met MERTIG until one day in August or September MERTIG appeared at his apartment and said that he was a representative of the Swiss Consulate, that he had been to Washington to help other Germans who wished to be repatriated and tried to give the impression of being a very influential man with a great deal of authority. MERTIG did not ask for money, but said that he would prepare a letter to the Swiss Legation and to Mr. GREEN of the State Department for him. About a week later the letter was sent to him by MERTIG for his signature. UNGER said however that he tore it up and never mailed it. MERTIG appeared approximately one month later and asked whether he had received a reply to the letter which he had written for UNGER. UNGER explained what he had done with the first letter but MERTIG nevertheless insisted upon writing a second letter for him. UNGER stated that he did not wish to deal with MERTIG because he felt that he was "phoney".

PAUL OTTO WALLMANN of 316 East 82 Street, New York City, advised that he first went to the Swiss Consulate in June of 1942. At this time he filled

out an application for repatriation and sent it to Washington. He received several replies from the Swiss Legation and then decided to get in touch with MERTIG, whose name he had gotten from a family by the name of SCHROTT, which family had already left for Germany. He stated that he saw MERTIG twice but that MERTIG did not ask for money. He wrote two letters for WALLMANN, gave them to him in a stamped envelope and WALLMANN mailed them. He stated that he had offered MERTIG money but that he had refused it. MERTIG did not offer any advice or hope that he could be repatriated and he at no time mentioned anything concerning his connection with the Swiss Consulate. He last saw MERTIG sometime in July. WALLMANN stated that he has been in the United States for 19 years, that he has never been connected with any German organizations and never bought any Rueckwanderer Marks.

Among other people interviewed were Mrs. JULIAN UMSCHEIT of Silver Lake, NewYork; Mrs. THERESA SCHUHWERK of 59 Oak Street, New Rochelle; Mrs. HERBERT GROBB and Mrs. JOHN SCHREINER of Park Place in New Rochelle; Mrs. LOUISE KRAUSS, as well as Mrs. MARIE KERLING and ERNEST KERKHOF. These people all told much the same story as those set forth above; all of them denied any payment of money to MERTIG for his services. To most all of them he admitted his connection with the Swiss Consulate in varying degrees.

Mrs. MARIE KERLING, who was interviewed at Ellis Island, stated that she had received a letter from MERTIG telling her to be ready in case she got atelegram from Washington along the lines that she could leave for Germany. A few days later she got the telegram. She stated that she met MERTIG sometime later but her merely introduced himself and asked whether she had heard anything from Washington. She also stated that she never knew of MERTIG's connection with MITCHELL.

ERNEST KERKHOF who was also at Ellis Island, stated that he met MERTIG with WILLI MITCHELL one day at a bar. His conversation had been solely with MITCHELL and he had merely been introduced to MERTIG. However, he met MERTIG later on the day before MITCHELL left for Germany, when he came to KERKHOF's house to say goodbye. He had two letters from MERTIG stating that his name had been given to the Swiss Consulate by MITCHELL and he finally got a wire from Washington stating that he could leave. Another letter concerned what he could take back to Germany with him. He stated that rumor on Ellis Island had it that MERTIG had been arrested and that several people had admitted writing to him with respect to repatriation. MERTIG at no time ever told him that he had any connection with the Swiss Consulate.

That MERTIG is still interesting himself in the repatriation program is evidenced by the fact that as late as November 17, 1942he wrote a letter to Mrs. THERESE HOHENREINER, which letter was forwarded to this office by Confidential Informant T-2 and is set forth below:

"New York, N.Y.
317 E. 54th St.
Nov. 17, 1942.

"Dear Mrs. Hohenreiner
and Rosemarie:-

I received at this very moment your letter dated Nov. 15 and mailed by special delivery at 11 AM to-day and hasten to reply, as I feel from its tenor 'Aus hoechster Not ruf ich zu Dir' that a work of consolation from me might help you to calm yourself a bit.-

You know from your experience during the last few months that all one can do is to try and try again to advance this family camp matter by appealing to one and then another of the multiple departments who are supposed to handle the matter, but I am of the opinion that on account of red tape caused by bureaucracy, interference by overlapping rules and regulations etc., an infinite amount of patience is required, of which I am ever conscious, but knowledge of which is, of course, of little consolation to the unfortunate victims of these wartime regulations.-

I understand that Camp Seagoville, Texas is overcrowded, and so is the camp at Gloucester, Pa.

I do not know of the contemplated establishment of a family camp at Tennessee. I have written yesterday for information on a new camp, as the Immigration and Naturalization Service of the Dept. of Justice at Philadelphia wrote me:

> 'A great many wives of interned enemy aliens have submitted similar requests and it has been necessary for this Service to obtain additional detention facilities in which to take care of them. This, as you know, cannot be accomplished overnight. An additional camp has now been secured and as soon as the necessary alterations can be made and supplies obtained, the transfers of the eligible families will be effected. It is hoped that the transfer may be arranged sometime during the present calendar year.'

The War Department at Washington (B. M. Bryan, Colonel, F. A. Chief, Alien Division) writes me on Nov. 9:

> 'The Provost Marshall General has directed me to answer your communication dated Nov. 2, addressed to the President of the United States and referred to this office for reply, concerning the reuniting of family groups in family internment camps.
>
> The War Department has been giving serious consideration to this matter. The comments and suggestions contained in your letter willbe retained in the files of the War Department for reference, and you are

'assured that they will be given full consideration.

The Department of Justice is also giving consideration to this problem and therefore a copy of your letter is being forwarded to that Department.'

I fully understand that conditions at Ellis Island are inadequate, but this is not the fault of the officials there.

However, this does not change the fact that the presence of small children and girls like Rosemarie, who ought to be in school, is against international rules and perhaps also against the laws laid down by the State and Federal Health, etc., Bureaus. I understand that for this reason a temporary transfer to the grounds of an institution uptown New York of such families is under consideration. Perhaps you know more about this than I do.

You may show this letter to our mutual friend Helene Jorowitz and then mail same to your husband, if you think it worthwhile.

I am taking up the matter to-day again with Philadelphia and Washington and should like to await the return of Dr. Hoffmann of the YMCA War Prisoners' Aid, before I go personally to those different out-of-town bureaus, because that involves travel expense not alone for myself, but also for Major Jaxon, whom I wanted to ask to come along to help me in the difficult task to properly explain the urgency of the solution to the proper officials.

With kindest regards I am

Sincerely yours,

Sgd) Kurt Mertig"

In connection with the investigation of the HARDT PRESS, New York File #100-19, BRUNO LOESENER, 242 Irving Avenue, Ridgewood, Long Island was interviewed. At the time of this interview he was questioned with respect to MERTIG's job with the HARDT PRESS. He stated that MERTIG had been advertising manager at a salary of approximately $25 per week, which had been paid to him directly by WILLY SCHLETTENHARDT the real owner of the HARDT PRESS. He stated that MERTIG had been responsible for soliciting ads for the paper and at times also did some of the editorial work; that MERTIG fancied himself as a writer and requested frequently to have something he wrote inserted in Die Neue Woche. He stated that he had never liked MERTIG, mostly due to the fact that MERTIG always got his $25 per week paid out of SCHLETTENHARDT's own pocket, while he himself was lucky if he got $20 per week out of the enterprise. In this connection, a confidential memorandum was furnished to this office by Confidential Informant T1 which more fully sets out MERTIG's connection with the HARDT PRESS and the connection between that concern and the German Railroads Information Office in New York City.

"MEMORANDUM

Re: Die Neue Woche
The Hardt Press
Dr. Kurt Hertig
German Railroads Information Office

Carbon copies of what appear to be official reports to the German Railroads head office in Berlin and other documents found among the records of the German Railroads Information Office in New York, show that a very close relationship existed between this office and the German-language publication, Die Neue Woche which was published in New York from 1939 until early in 1941.

What appears to be a memorandum for the files, dated February 14, 1939, and bearing the typewritten initials of Heinz Portack, the director of the German Railroads press office, reads as follows: (German Railroads Information Office Exhibit #495)

> Mr. B. Loessener
> of HARDT PRESS
> 204 East 81st Street, New York, N.Y.
> who propose to publish magazine "Die Neue Woche" beginning March 25 or so called upon our request. (Emphasis supplied) said they would avail themselves of our articles and photographs, had not known that such material was not to be sent direct from Germany. While their plans are still somewhat hazy, they are sure to ask for advertising if their plans go through. Mr. L. took some of our articles along. They have had cuts for "Vereins" publications on several previous occasions.

A report to Berlin, dated February 15, 1939, confirms the above. (Exh. 494)

> "Die Neue Woche"
> A representative of the little printing shop "Hardt Press" came to see us, and the delivery of the magazine with suitable material provided for. The firm has already received cuts, etc. from us for other purposes.
>
> HEIL HITLER !

Another report, dated April 5, 1939, shows that evidently the Hardt Press wrote to some official office in Berlin and was referred by themto the German Railroads Information Office in New York: (Exh. 444)

> 204
> Your reference: IP/5322/Me - ours: #107, February 15, 1939
> 'Die Neue Woche'

> Enclosed is the first number of the new German-language magazine 'Die Neue Woche' which is published by the printing shop 'Hardt Press', whose request for materialyou referred to us in the above communication. On the front cover appears a picture of Rothenburg, and the source of it is given on page 3. On pages 2, 9 and 11 are reproductions of pictures of Neusenwanstein, Freiburg, I.N. and Stuttgart taken from our cuts and pictures. The magazine will be regularly supplied with material by us. The copy can be handed on.
>
> Heil Hitler!

A similar report on May 4, 1939, announces that the four numbers of Die Neue Woche which appeared during April are being enclosed, and designates more than fourteen pictures and four articles in these issues which were supplied by the German Railroads Information Office. (Exh. 440). A report dated June 30, 1939, announces that six more issues are being sent to Berlin and indicates that more than twenty articles and pictures from the German Railroads Information Office appear in them. (Exh. 436). Exhibit #439 in another report to Berlin dated May 15, 1939 which alludes in passing to Die Neue Woche: (Exh. 439)

> "....Mats are usually not distributed immediately by us since the German newspapers receive them direct from you; they are put away in order at the proper time to be used in the illustration of other publications, such as 'Die Neue Woche', the Jugendpost', etc."

A separate memorandum is being submitted on the Jugendpost. The report to Berlin of July 15, 1939, shows that the connections between the Railroads Office and the Neue Woche got closer and closer. (Exh. 435).

> The periodical whose publisher you at one time referred to us with requests for material is now beginning to develop somewhat under the direction of an editor who is close to us. It makes use regularly of our material, among it articles, notices, cuts and mats. We are sending you the issue of July 9 with a Railroads picture on the front page, various of our items under "News from the Old Homeland" and a picture of Kiel on the inner front cover and an article "Journeying to Germany is the Custom all over the World", with three pictures on pages 3 and 4. On pages 9-15 appear programs of German radio stations, of which several make regular use of our material.
>
> Heil Hitler!

It is believed that the new editor alluded to in the report is Kurt Mertig, although absolute confirmation is lacking. The reference to German radio stations is not clear, but it is thought that it refers to programs in German which were heard over American radio stations in New York.

There was also found in the files of the German Railroads Information Office a considerable amount of correspondence with the Hardt Press and with various individuals connected with the press and with Die Neue Woche. Most of this correspondence concerned the pictures and articles which the Railroads supplied to the magazine. Exhibit 493, a letter in English dated March 22, 1939, mentions a book that was being published by the Hardt Press:

Hardt Press
204 East 81st Street
New York, N.Y.

Att: Mr. B. Loesener

Dear Mr. Loesener:

Assuming that the cut of the National Theater in Weimar, which we gave you on February 14, and the 4 cuts (2 of Heidelberg and 1 each of Eisenach and Hoellental) have now served their purpose, we shall appreciate having them back with a few copies of the book in which the reproductions appear. You intended to returnthem in Bebruary. You also have 3 photographs, the early return of which would likewise be appreciated.

Very truly yours,

Exhibit 466 is a letter dealing with Die Neue Woche, dated September 5, 1931.

German Tourist Information Office
11 West 57 Street
New York, N.Y.

Dear Mr. Portack:-

The writer returned to-day all cuts in our possession and spoke to Mr. Queitsch regarding further cuts we should like to use for Die Neue Woche.

Mr. Hoffmeister had spoken to you already last week before he went on vacation and you know what we have had and what not.

In view of the difficult conditions we may face in the nearfuture, we would be very much obliged to you, if you give us the best cuts you can let us have, even full page cuts could be used by us. And we need some attractive cuts for our front page.

In case you have not yet had time to assemble an assortment for us, please do so on receipt of this letter, so that we can send our boy for same. WE NEED THE CUTSBY NOON TOMORROW (Wednesday).

Thanking you already in advance, we are,

Yours very truly,
HARDT PRESS
(signed) E. Hertig

-o-

The closeness with which the Railroads Office cooperated with Die Neue Woche is illustrated by a letter dated September 6, 1939 and marked for the attention of "Dr. Hertig". (Exh. 425)

Gentlemen:

In response to your request of thisdate, we are sending you herewith an article titled "Deutsches Rokoko" and seven cuts to illustrate it. One of these cuts will fit nicely on your front cover. The assortment will serve to fill whatever space you will have available forpictures. We believe that such a collection dealing with one particular subject is very appropriate.

Please make sure to let us have these cuts back as soon as they have served their purpose.

Always glad to cooperate, we are,

Very truly yours,
GERMAN RAILROADS INFORMATION OFFICE

Enc. Article
Deutsches Rokoko
7 cuts
P.S. The captions are attached to the individual cuts. The number of each caption corresponds to the blue figure on the bottom of the cut.

Another communication from the German Railroads Office, dated December 6, 1939, is addressed to 'Editor, Die Neue Woche' and marked for the attention of Mr. Hardt. (Exh. 461)

Dear Mr. Hardt:

According to your wish we are sending you enclosed two pictures for your article concerning the life and activities of the soldiers at the West Wall.

We request that you mention the source under the reproduced pictures either 'Picture from German Railroads Information Office, N.Y.' or have under the title of the article: 'With illustrations from the German Railroads Office, N.Y.'

Descriptions of the photos are on the back of the pictures.

We would like to have both pictures back not later than Thursday noon.

With German Greeting

Allduring 1940 and the early part of 1941 letters were evidently being exchanged by the two organizations, and several more were found in the files of the Railroads Office. One, signed by Loesener and dated January 21, 1941, says 'we distributed altogether 1,000 extra copies of the last week's issue, which seemed to please many new readers'. The majority are signed by Mertig and deal with Bavarian special issues, Baden special issues, misplaced cuts and other problems. The last letter is somewhat indistinctly dated, but it appears tobe February 13, 1941, and is addressed to Mr. M. Portack of the German Railroads Information Office: (Exh 286)

Dear Mr. Portack:-

We wish to express toyou our sincere appreciation of the cooperation you have given us and we are quite certain that you liked also the last and the present issue of 'Die Neue Woche'.

With the last issue we specially cater to the members of the German Ski Club and adherents to the wintersports.

Yours very truly,
DIE NEUE WOCHE
(signed) K. Mertig

Also available are more than sixty notations for the files of the German Railroads Information Office emphasizing something that has already been made clear from the correspondence reproduced above, namely, that Die Neue Woche published such a large amount of material from the German Railroads that it probably had room to publish very little else. The fact that the magazine ceased publication in July 1941, only one month after the Railroads Office was forced out of business by the United States, also suggests that Die Neue Woche was in no sense self-sustaining.

It is also known that the Railroads furnished Die Neue Woche with a fairly large amount of advertising. The carbon copy of a bill submitted to the German Railroads by their advertising agents, Albert Frank Guenther Law, reveals that the magazine was paid $35.20 for two advertisements appearing in June, 1939 (Exh 250). In July it was paid $17.20 (Exh. 260). Possible advertising is also alluded to in the Railroads memorandum set out on page 1.

Files of Die Neue Woche have not yet been located. The New York Public Library has no record of the publication, and the Special War Policies Unit has only four issues available. These were the last four which appeared, and cover the period from July 2 to July 23, after the German Railroads Information Office had closed its doors. They are poorly printed, contain very few pictures, a few anecdotes, releases of the Foreign Languages Information Service, programs of German American radio stations, two contained stories and a surprising amount of advertising from German American summer resorts. There is nothing in the issues available which could possibly be interpreted as pro-Nazi.

Nevertheless it is felt that this magazine represented an important tool of the Nazis. The German Railroads were one of the chief agencies of "cultural penetration" in the United Status, and the Nazi machine always realized that cultural work must come ahead of political. The memorandum entitled "Material Found in the Records of the German Railroads Information Office " (lacs-jum-wpd) cites many documents to illustrate this fact. Moreoverit is known that Die Neue Woche did contain a certain amount of political material - for instance an article on the West Wall alluded to above. Kurt Mertig, who is thought to have been the chief editor of the magazine, is also known to be dangerous. According to an oral report he has very recently written to a New York German-language paper protesting anti-German statements which were printed in that paper. He is also the subject of an investigation of the New York office of the Bureau, and has been reported to have been affiliated with the Christian Fighters and Friends of New Germany as well as other pro-Nazi and native fascist organizations. (Report of S.N. Moore, New York City, 7/22/42, entitled Kurt Mertig, SWPU F1127).

Conclusion

As far as is known the premises of the Hardt Press have neverbeen searched by any government agency. It is therefore recommended that the above material be reviewed to determine whether adequate grounds exist for fund freezing or other action which would make further investigation feasible. The possibility that the Hardt Press and the above-named individuals connected with it violated the Foreign Agents Registration Act should also be considered. Likewise the affiliations of the Hardt Press remain to be determined, and there is a possibility that the Mr. Hoffmeister alluded to in correspondence set out above is identical with the city editor of the New Yorker Staate-Zeitung.

It should be emphasized that the above report does not attempt to summarize all the information available to the Department concerning the Hardt Press, Mertig and Loesener, but aims chiefly to set forth the information found in the files of the German Railroads Information Office."

With respect to MERTIG's apparent lack of income and his present and past business connections, investigation was conducted at 132 Front Street, New York City, where MERTIG was supposed to have had his exporting and importing business. ROGER ALLEN, elevator operator at 132 Front Street, stated that MERTIG had been in this building for four or five years in a one room office,but had left that address at least 7 or 8 years ago. His business had been mainly importing china. However, he was always shabbily dressed and apparently had very little business. For a time he employed a stenographer but for the past two or three years of his occupancy he had no help at all. He was continually complaining about business conditions. At this time he did not exhibit any pro-German sentiments or sympathies.

Mr. GEORGE HUNN, 99 Wall Street, New York City, advised that he is a former superintendent at 132 Front Street and that he remembered the subject MERTIG well. MERTIG was in the importing business and had stated to him that his wife and children were in Italy. He had no business to speak of and Mr. HUNN stated that he was always surprised that MERTIG could keep an office open. He last saw MERTIG about 5 years ago, but MERTIG had left 132 Front Street about 8 years ago. He had one room office and a secretary whom he later discharged after a few months. He had very few visitors, however, business was very slow. He apparently did most of his business on the street because Mr. HUNN stated that MERTIG and another man walked up and down the street in front of the building most of the day. His rent was $50 per month. He tipped the building employees on holidays, but Mr. HUNN said that he always hated to take any money from MERTIG because he doubted whether MERTIG could actually afford to give it. He had formerly been in with an importer by the name of DEIDERMAN who had gone back to Germany soon after the last war. MERTIG apparently tookover DIEDERMAN's business and may have been in this building for 10 years or more. Mr. HUNN did not recall that MERTIG had ever exhibited any pro-German tendencies at this time.

A new phase of MERTIG's activities came to light when DR. JOSEPH BROADMAN of 235 West End Avenue, New York City, complained to the Immigration Service that he felt MERTIG was dangerous and should be watched. DR. BROADMAN was interviewed and he advised that he has known MERTIG since 1938 or 1939. He advised that he does not know him in a social or business way but DR. BROADMAN had been interested for several years in FATHER DIVINE's group in Harlem and MERTIG frequently appeared in the audience at the Righteous Government Forum which was conducted by FATHER DIVINE weekly. MERTIG frequently spoke from the floor and tried to put over Hitlerite ideas. DR. BROADMAN quoted MERTIG as having said at one time "Germany is a great country. HITLER is doing a lot and making it a wonderful place to live in". MERTIG frequently left the bund newspaper "The Weckruf" around at these meetings. He also recalled MERTIG having stated "Roosevelt is trying to drag the United States into war". He also recalled that MERTIG at one time was running for City Councilman in opposition to a German American candidate because he said "They (meaning the German Americans) are not sufficiently behind the Fuhrerand we need a strong Nazi Party here". MERTIG frequently tried to convert the negros to Nazism by indicating that HITLER had been misquoted on his racial theories and always attacked Roosevelt and his policies. DR. BROADMAN described MERTIG as an active NAZI propagandist. He stated that he never could understand MERTIG's source of income because he was apparently attending Forum meetings of all kinds throughout the week and never mentioned any business of his own.

Mr. JOHN LAMB, 1887 Madison Avenue, New York City, Secretary to FATHER DIVINE was interviewed and advised that FATHER DIVINE formerly held meetings at 207 West 63Street, which he called the Righteous Government Forum, at which speakers of various beliefs appeared and gave their views. He recalled that MERTIG

would appear every Wednesday night to attend these forums and frequently spoke. The tenor of his speeches were always very anti-New Deal and he particularly opposed the repeal of the arms embargo. He attended these meetings almost weekly from 1935 to 1939. Mr. LAMB advised that MERTIG tried to influence the followers individually more than as a group, because the group was liberal and he did not dare express too many of his Facist ideas. He stated that he would have one of his secretaries go through thereports of these meetings and determine if any of MERTIG's speeches had been taken down in shorthand, as the speeches of various participants were often published in Father DIVINE's "New Day". He stated that he recalled that MERTIG apparently had a group of his own which he called the Citizens Protective League. Mr. LAMB later wrote to the writer, stating that he had talked the matterover with Father DIVINE and that Father DIVINE had recalled that MERTIG had been very active in defending BRUNO RICHARD HAUPTMAN who was executed for the kidnapping of the LINDBERG baby. Before his execution BRUNO spoke in the DIVINE meetings and attempted to circulate a petition for commutation of the sentence. He also attempted to make an appeal for funds. He left petitions for signatures under the heading of the Citizens Protective League but nothing was done about it.

LOUIS A. ZAHNE of 144 East 86 Street, New York City, was interviewed by the writer and stated that he has known MERTIG for many years. During the course of the interview ZAHNE was definitely evasive and stated only that he felt that MERTIG was the type of individual who liked to be in the limelight and to head societies of different sorts. He stated he felt there was nothing subversive in MERTIG's character or makeup, but that he has a great deal of kindness in his heart. ZAHNE admitted frequently speaking before the Citizens Protective League which MERTIG ran as an open forum. He admitted further that there were a great many "crack pots" who spoke at these meetings. He stated that he believed that MERTIG had very little income and was unable to tell the source of what little income he did have other than the fact that MERTIG apparently ran the circulation end of thepaper known as "The American Herald" which he has seen MERTIG peddling on the streets in Yorkville. He stated that he felt MERTIG is not pro-German but is a great egotist. It should be pointed out that ZAHNE himself has formerly given information on the Friends of New Germany and is regarded as unreliable.

From Confidential Informant T-3 the following reports were received. T-3 stated that he had recently talked with KURT MERTIG and learned that he is to appear before an Army Hearing Board on December 16, 1942relative to possible removal to the middle West. MERTIG stated that he was willing to appear before the Board. MERTIG also told him that he was continuing to give assistance to German Nationals in this area. He stated that he had that day written a letter on behalf of a German National who has been inducted into the Army and refuses to bear arms. MERTIG said that he had communicated

with the Army authorities seeking this man's release. MERTIG also stated that he had been informed by Nazi friends in Yorkville that the FBI had been inquiring about him among the aliens detained at Ellis Island. MERTIG admitted that he was worried over this because some of these German Nationals might disclose that they had given him money for services he rendered them. MERTIG also disclosed the fact that he planned to return to Germany after the war to accept a position which wasto be opened to him in the Government service in the German Merchant Marine. He added that WILLI MITCHELL had arranged this position for him in return for whatever work he did for MITCHELL in the United States.

A later report indicated that MERTIG had again talked with Confidential Informant T-2, at which time hehad shown T-2 a petition which he was preparing to send to all members of the Senate and the House of Representatives in the new Congress, seeking their assistance in revoking Army rules which permit the removal of citizens inland. MERTIG referred to FBI agents as "glorified draft dodgers". MERTIG was trying to engage Counsel to fight any Army order excluding him from this area. He said that he will seek a writ of Certiorari or Habeas Corpus and he resents being ordered out of the area. He also has communicated with the Civil Liberties Union requesting their assistance and received a reply that he should advise them when and if he receives an Army order to get out. MERTIG has written to President ROOSEVELT denouncing Army powers to remove citizens inland and protesting that such powers are unconstitutional and quoting Justice DAVIS' decision in the MILLIGAN case of the Civil War. He also filed with the Second Service Command an "exception" to the proceedings of this military hearing and forwarded the same to General DRUM. MERTIG further advised that agroup of German women had just returned from Tennessee where they visited their interned husbands and conferred with the military commander of the internment camp and protested to him over the confinement of their husbands. MERTIG said that these womentold him that the commander was very sympathetic and himself expressed doubt as to the reason for some of them being interned. The commander is alleged to have said that it was not the first time that the FBI had interned innocent persons, but went on to state that he was without power to release them. MERTIG claimed that this military commander is wholely sympathetic to the Germans but did not give his name.

On January 19, 1943 the report and record of the Exclusion Hearing Board was received at this office from Confidential Informant [redacted] whose identity is known to the Bureau. The hearing was held December 16, 1942 in NewYork City. A summary of MERTIG's testimony is set forth in substance as follows: b7D

"THE SUBJECT HAVING APPEARED BEFORE THE BOARD, TESTIFIED IN SUBSTANCE AS FOLLOWS:

"1. He was born on September 5, 1886 at Leipzig, Germany; entered the United States at New York City in 1910 and was naturalized in 1930. (Personal History Statement)

2. Subject's wife and two children, who presently reside in Italy depend solely upon him for support. On an average, subject has been sending them approximately $700. per year. With the remainder of his income he maintains a three room apartment. (Transcript of Testimony p. 29) and has a bank account 'between $20. and $100. and $200.'

3. At the present time, subject sells 'foodstuffs' when there are any to be sold. 'Foodstuffs' includes 'food conserves' and 'bakery products'. He also handles the subscription and advertisement of National Weeklies, a chain of papers from Winona, Minnesota published by Emil Leicht. It is a 'weekly paper written for Germans from Russia, from the Ukraine, from the Volga -- for Hungarians and for Germans'.

4. Subject admits being associated with Germans in German societies since 1929, many times as an officer; however he has not had any contact with the German Reich within the last ten years. He has not been at the German Consulate in New York and has not had any contact with a German official since 1936, but in September of 1941 subject went to the German Embassy in Washington to seek advice regarding an inheritance matter.

5. To the best of subject's 'knowledge and belief' all of the German-Americans or Americans with whom he has had contact have been 100% American. None of them has done anything he considers un-American. He has never lent his 'hand to anything which was subversive or contrary to the interests of this country', to the best of his 'knowledge and belief'.

6. Subject then admitted knowing Helmut Leiner (recently tried because of his connection with one Kerling, who was executed as a saboteur after landing on American soil from a submarine; since being tried he has been reindicted for aiding and assisting said Kerling) and being at his home half of an hour before saboteurs (recently executed) arrived at said Leiner's home. His only interest in said Leiner was to have him repatriated. Later he admitted he was also interested in seeing that Leiner was accorded a fair trial because 'some reports and some photographs were published' of which he questioned 'the veracity'.

7. He was of the opinion that Leiner would not receive a fair trial after he saw a photograph of Leiner in a Nazi uniform taken in an office of the German American Bund, which photograph was released to the press by Attorney General Biddle. Immediately he 'went out to Leiner's parents and showed them the picture and asked them, 'Is this your son?' They said 'No'. Subject then wrote a letter, which he claims was written prior to the trial, to the

"President protesting about the picture and asking him 'to see to it that no unfair publicity would be issued against a man who has not been tried, ***'. He admits that he also wrote similar letters to Attorney General Biddle, United States Attorney for the Southern District, Mathias Correa and the Trial Judge.

8. Subject attended three meetings of the Friends of New Germany (predecessor of the Bund) 'just for the sake of curiosity, to find out what the whole thing was about'. He had no time to attend the regular meetings because 'they were on the same dates when the meetings were held of that German Literary Society'. His understanding of the Friends of New Germany was that they 'wanted to bring' all German elements 'together and unite them into a political party or a political unity, and of course state to them or bringing to themtheir understanding of the Third Reich which had come into being 1933, of which these old fellows had no idea.'

9. Subject has been acquainted with Fritz Kuhn (convicted national leader of the German-American Bund, who is presently being denaturalized by the U.S. Government) since 1936. Kuhn attempted to enlist subject as a member of the Bund, but subject 'did not like the whole makeup***'. He insists that the Bund classified him 'persona non grata' because the Citizens Protective League of which subject was the founder had 'about 50% of the people American and 50% German-American'. Kuhn 'forbade' members of the Bund from attending meetings of the League, threatening that if they did attend they would be 'thrown out' of the Bund. Subject objected to the Bund mainly because members had 'one foot in Germany' and they looked forward to the day 'when they would return to Germany to get a good job, or something'.

10. He was asked what he objected to, in regard to the Bund's purposes, and he evaded the question by answering that he considered 'Kuhn a louse'. In subject's opinion Kuhn did not unite the German elements sufficiently, but instead 'split it more than anything else'. Subject wanted Kuhn to do away with uniforms, 'the Swastika, and so forth'.

11. Nothwithstanding subject's clandestine hatred for Kuhn and the Bund he attended five or six of their meetings. He also attended the much publicized meeting on George Washington's birthday at Madison Square Garden.

12. Willi Mitchell, one of subject's acquaintances from Germany, who entered the U. S. illegally, met subject during social affairs at the German Literary Society. Said Mitchell lived with subject 'a couple of days in November, 1941 but he stayed off and on' with subject 'until February 1942. Off and on whenever he was in town he came'.

13. Mitchell was, according to subject, amember of the Friends of New Gefmany, and the German Nationalist Party, but not the German American Bund.

"'Mr. Mitchell was called to the German consulate — no, to the Swiss Consulate. He was told to assemble about 100 families who wanted to be returned to Germany. The names were to be given to the Swiss Consulate, who in turn gave the names to the Swiss Embassy in Washington, who in turn handed in the names to the State Department'.

14. According to subject the Swiss Consulate received information from 'the German Embassy which was in exile' to return to Germany, first, 100 members of the Nazi Party. Mitchell would make up a list but our State Department would select those who were to actually go back. Subject is positive that Mitchell received 'no money whatsoever' for his services and was 'as poor as a church mouse' nevertheless he would not take money from persons who 'would have gladly paid him something'. Mitchell was himself repatriated on the steamship 'Drottningholm' in May, 1942. When Mitchell was ordered to leave, subject and said Mitchell were called to the Swiss Consulate at which time subject consented to help the Swiss Consulate, without reimbursement, 'to get these people off on the next steamer'. He was offered postage and stationery by the Consulate, but he refused to accept it and insisted he was interested in repatriation because he was anxious to get his family 'back'. Several times he asked our State Department whether or not his family was on a ship and their chances of returning to the United States.

15. He reiterates that as far as the repatriation program was concerned, he did not take any money from the Swiss Government and he told 'each and every one of these persons' seeking repatriation that his work was 'purely charitable' and therefore he did not want any money, howeverhe would not help it 'if sometimes they left some money, $5.00 or $10.00 for the errands, and so on and so forth, **'. They were only insignificant amounts which he accepted 'under protest'. 'If they laid it on the table' subject found it after they had departed from his home.

16. Subject admitted having handled the repatriation of Alfred Taenzler. When subject was confronted with the question as to whether or not he received any checks for services rendered, he was forced to admit that he received a $100. check from said Taenzler. (In other words, he was testifying falsely when he said he had not received payments for repatriation).

17. Dr. Griebl (fugitive under an espionage indictment) and Mrs. Griebl were intimate friends of subject. In fact Dr. Griebl was a former president of the German Society of Literature. Subject was an active member of this society for some years and in close association with said Griebl. Dr. Griebl before escaping from the United States wrote a letter to his wife in which he stated that if she was in need of any help to 'liquidate his office' she should call on Mertig (subject). Mrs. Griebl followed the directions of herhusband and subject sold Griebl's office equipment and even went to the steamship line to make arrangements for shipment of Griebl's automobile to Germany, but was immediately trapped by agents of the Federal Bureau of Investigation.

"18. Mrs. Griebl was in need of a bail bond but subject denies signing the bond for her orhelping her raise the bail. However subject knows that 'a man who had a bookstore in West 58th Street, who did not even know Mrs. Griebl raised bail for her because 'he considered it was un-American to hold Mrs. Griebl after Dr. Griebl had left, ***'. This unknown man is supposed to haveprotested to the government officials for holding Mrs. Griebl as a 'hostage'. He merely read about her in the newspapers and all of a sudden went to the court with $5,000. and said 'here, I put up the cash bail as an American'. Nobody asked him to produce the $5,000 for bail. A 'couple of months later' subject met this man.

19. The aforementioned Citizens Protective League, of which subject was the chief spokesman, was designed to protect Americans. 'There are a good many injustices going on where people are done out of money, out of inheritances, by crooked lawyers, and so forth. Where people do not know how to help themselves. They came to us'. When asked if the Citizens Protective League was subsidized by the Bund or started out to be a part of the Bund, he had to consult with his adviser, who said 'No'.

20. When agents of the Federal Bureau of Investigation appeared at subject's apartment, he resisted their right to search because first, he believed in the Bill of Rights and secondly, they did not have a search warrant. After a lengthy discussion he was asked if he had anything to hide. He said 'no' and signed a waiver. Subject had in his possession a short-wave receiving set, but denies receiving any messages. When asked if he had heard from Mitchell he answered hastily, 'no, not a word. I have not communicated with the enemy, I have not given aid or comfort to the enemy'. (Apparently he regarded his good friend Mitchell, an enemy of this country).

21. He cannot remember making a statement to the effect that the talks between President Roosevelt and Winston Churchill were mere orgies on boats and that both were perverts, although if he did make 'any statement against Roosevelt, it was before Pearl Harbor'. Before Pearl Harbor he exercised his 'right as an American citizen to be in disagreement with theadministration'.

22. Subject denies being familiar with the National Socialist program in Germany but says whatever he knows about it he had read in the newspapers. He is not interested in what the National Socialist Party was doing in Germany because he is 'for America and nothing else'. He made attempts to read 'Mein Kampf' but unfortunately 'fell asleep'. Subject had no interest whatsoever in what Hitler and his Party was doing in Germany.

23. He denies being a member of the Reichs Deutsche Vereinigung, 'an association strictly to serve German nationals'. He never attended any meet-

ings of that organization because 'only German nationals were admitted'. When questioned along these lines subject said he attended public meetings called at the Turn Hall by the German Consulate. In fact, subject paid 75¢ to see and hear either Consul Borchers or Draeger, both of them acquaintances of his, at the Turn Hall in December of 1939 or 1940 commemorating the German Memorial Day. 'It is for the deceased of the World War and the people who fell in previous wars'. Five of six hundred people attended and sang the Horst Wessel song (Nazi anthem), Deutschland uber Alles (National song of Germany) and Ich hat' einem Kameraden.

24. Subject equivocates when questioned about the reason for being 'bounced' from the German Literary Society. He was asked if the real reason was because the speakers and ideas he was trying to instill into the Society tended toward the pro-German side; subject answered, 'Well, at that time I wanted to have speakers of allsorts'. He then admitted that he invited General Metz, Victor Ridder, Victor Ridder's brother and George Sylvester Viereck, the latter of whom was a Nazi agent, to speak before this society.

25. He was definitely evasive in the following instances: (1). 'Do you still believe as you stated in a letter dated December 11, 1937, that President Roosevelt is conducting an un-American form of government?' First he answered 'When was that?' and then 'Oh, that is so long ago.' then 'Well, I do not remember', then he could not answer the question 'yes or no' and finally he admitted believing it in 1937 but having changed his mind since the entry of the U.S. into the war. (2). 'Do you still believe, as you stated in a letter of August 16, 1941, that President Roosevelt is subversive to everything we have held sacred?' First, he answered 'Not since Pearl Harbor.' then, 'Up to then? I violently disagreed with him on the Lend-Lease Bill and a number of things. I disagreed with him on the exchange of destroyers, and so forth. Like all Americans, we have our different points of view. We are at liberty to voice them'.

26. Subject was acquainted with Kunze (successor to Fritz Kuhn as National Bund Fuehrer and confessed Nazi spy who was convicted on or about October 20, 1942 for conspiring to have Bund members refuse to obey the Selective Service Act); Axel Wheeler-Hill (National Secretary of the Bund who was operating a short wave radio set for the benefit of Fritz Duquesne, notorious Nazi spy); Allan Zoll; Haase, who apparently spoke at a meeting sponsored by subject in March of 1942 to the effect that the United States conclude an immediate peace in this war; George Sylvester Viereck (re-indicted on or about January 5, 1943 for conspiring to impair the morale and loyalty of the United States armed forces) who subject, in his capacity as Vice President of the German Literary Society, engaged to speak before said Society; William Pelley (former leader of the Silver Shirts, convicted of criminal sedition, which conviction has been upheld by the U.S. Circuit Court of Appeals on or about December 17, 1942) and whose publications subject purchased and read; Edward Smythe (recently indicted by a Federal Grand Jury in Washington, D.C. for seditious acts) who was connected with attended and brought 'some newspapers' to the Citizens Protective League, and who further, according to subject, drank excessively and would have been ousted by

"Major Jaxon (subject's adviser) from said meetings if he uttered any 'un-American or subversive' remarks; Louis Zahne, in whom subject had absolute confidence and who was a frequent speaker at meetings of the Citizens Protective League, the Friends of New Germany and the German American Bund; Edmonsten, circulator and publisher of the racial hatred Edmonsten Bulletins, who came 'first into the public eye with his indictment, and so forth' and Goadby who subject met while he was Chairman of the German American wing of the Republican Party in 1936 and who, he believes, is sympathetic to Fascism and afraid of the Roosevelt Administration.

27. Joe McWilliams (notorious preacher of racial hatred) is 'a casualacquaintance' of subject. Subject's affairs had been up there in Yorkville regularly and he 'met him there and spoke to him perhaps five or six times'. He also attended a meeting at the request of one, Mr. Goadby, at the Murray Hill Hotel at which time McWilliams delivered a speech. Subject describes it as 'just agathering of Americans'.

28. Subject admitsbeing a member of the American Nationalist Pary organized by the aforementioned Goadby, Mr. Moriarty and Mr. Smith. McWilliams was not a member of this organization but 'once or twice' he delivered speeches at meetings.

29. Subject met Ernest Taylor four or five times on the streets of New York, also at the Murray Hill Hotel and once at Mr. Zahne's office. Taylor was circulating a petition protesting against the Lend-Lease Bill, but not the one calling for the impeachment of President Roosevelt or violation of the Selective Service Act. 'Somebody up in Connecticut' circulated the petition for the impeachment of President Roosevelt.

30. One, Orgell (former Vice President of the German Literary Society) an acquaintance of subject, was President of the Ausland Deutscher, which was known as a Bohle organization. Subject heard of Bohle through the newspapers but denies seeing him. However, subject knows that Bohle wastrying 'to tell the members of the Friends of New Germany or of the Bund that they should do certain things differently; they told him to go and chase himself, or someting more drastic and told him they were American citizens and they would do as they pleased, and that wasthe end of that'.

31. Subject attended 'two metingsof the Christian Front at St. Paul Fathers' as aguest of Edward Casey. The objective of the Christian Front, according to subject, was 'plain Americanism'. 'They complained we were being run into being controlled by 3,500,000 Jews here in New York, and they formed a Christian Front'. Subject made application for membership in the Christian Front but claims he never heard from the organization.

MAJOR HONORE JOSEPH JAXON, RESIDING AT 916 SOUTHERN BOULEVARD, BRONX, NY.C. HAVING APPEARED AS A WITNESS BEFORE THE BOARD TESTIFIED IN SUBSTANCE AS FOLLOWS:

32. He is 'absolutely convinced' that subject is honest, but is an 'economic illiterate'. In his opinion subject is not a menace to national security and further 'he is a good, loyal American citizen, and he is helping me out in doing American work'."

The findings of the Exclusion Hearing Board and their recommendation is set forth as follows:

"FINDINGS:

1. That subject was born at Leipzig, Germany on September 5, 1886, entered the United States at New York City in 1910 and was naturalized in 1930.

2. That subject's wife and children presently reside in Italy.

3. That subject was reluctant to permit agents of theFBI to search his home.

4. That subject at the time of the search had in his possession a short wave radio receiving set, a list containing the names of approximately 100 Nazi party members In the United States seeking repatriation and a large quantity of correspondence indicating that he acted as a middleman between the German Consulate and German nationals desiring to return to Germany.

5. That subject was leader of the National Socialist Workers Party (NSDAP) in the United States, and a member of the Friends of New Germany; the chairman and organizer of the Citizens Protective League which was composed of pro-Nazis who disseminated Nazi propaganda.

6. That subject was an intimate associate of William G. Mitchell, who was a member of the Friends of New Germany, the German American Bund, the Reichs Deutsche Vereinigung, German Literary Society and the National Socialist Workers Party and in charge of the repatriation of Nazis seeking to return to Germany, and who was himself repatriated on June 3, 1942.

7. That subject succeeded William G. Mitchellas the guiding hand in the repatriation program.

8. That subject testified falsely when he stated he was never paid for servicesrendered in the repatriation program, when in fact he received a hundred dollar check fromone Alfred Taenzler and an unknown amount from Louise Rapsche.

9. That subject proposed names of certain enemy aliens for repatriation who did not know him and could not account for his knowing them.

10. That subject attempted to instill in the German Literary Society a Nazi spirit when he engaged George Sylvester Viereck, an acquaintance, to give a report on Nazi Germany; the said Viereck opened the meeting with a raised right arm and by saluting 'Heil'.

11. That subject was an intimate friend of Dr. Ignatz Griebl, a fugitive under an espionage indictment and assisted Griebl's wife in disposing of her husband's assets and also in her departure for Germany.

12. That subject was the advertising manager of Hardt Press, publisher of Die Neue Woche, Nazi propaganda organ.

13. That subject wrote letters to variousgovernment officials protesting the induction into the United States Army of German aliens against their will and in violation of the 'conference of Geneva and international law***'.

14. That subject composed letters for German aliens, which were sent by them to variousgovernment officials, protesting their induction into the United States Army.

15. That subject wrote various letters to government officials protesting the detention and indictment of Helmut Leiner, an accomplice of Edward T. Kerling, one of 8 German saboteurs who landed on our shores from a submarine and who was later convicted of sabotage and electrocuted in Washington, D.C.

16. That subject and his cohorts were active in seeking the impeachment of President Roosevelt.

17. That subject ispresently receiving mail for and from German aliens who have been interned.

18. That a record of subject's activities appear in the military intelligence reports on Conrad Fischer, Adelbert Von Borowsky (subject of hearing before Board), Andrew Taylor, Mrs. Livingston Rowe Schuyler, William Mitchell, and Edward James Smythe all of whom are suspected of being pro-Nazi.

19. That subject, as secretary of the League of German National Societies, wrote aletter to Governor James M. Curley of Massachusetts condeming the 'action and stand taken by the House of Representatives, its Speaker and you in ruthlessly censuring Germany for alleged acts in the conduct of its own affairs'.

20. That subject was acquainted with Consul Freidhelm Draeger and his secretary, Vogel, Consul Hans Borchers and went often to the German Consulate to discuss matters with them.

21. That subject attended a meeting commemorating German Memorial Day at which meeting those persons attending sang the Horst Wessel song andDEutschland uberAlles.

22. That subject attended meetings of the German American Bund and promoted concerts given by singing societies of the SS Bremen and SS Europe for the

German American Bund.

23. That subject attended meetings of the Christian Front with Edward Casey, an acquaintance, at which meetings subject and Louis Zahne, another acquaintance distributed Edmonsten Bulletins, (racial hatred publication).

24. That subject made application for membership in the Christian Front.

25. That subject in an article which he sent to the N.Y. World Telegram stated that the United States is a government by subterfuge because the President is an internationalist and is subversive to everything 'we have held sacred'.

26. That subject made a statement to the effect that the talks between President Roosevelt and Winston Churchill were mere orgies on boats and that both were perverts.

27. That subject protested vehemently against a proposal submitted to Congress by Representative Samuel Dickstein of New York to investigate Fascism in this country.

28. That other acquaintances of subject included Fritz Kuhn (convicted national Bund fuehrer), Kunze (confessed Nazi spy), Axel Wheeler Hill (convicted co-conspirator with Fritz Duquesne), Masse, William Pelley (convicted Silver Shirt leader,) Edward Smythe (recently indicted for seditious acts), Goadby (Fascist sympathizer), Ernest Taylor, Gunther Orgell (registered Nazi agent), Joe McWilliams (notorious preacher of racial hatred) and Allan Zoll.

29. That subject was definitely evasive in answering the following questions: 'Do you stillbelieve as you stated in a letter dated December 11, 1937 that President Roosevelt is conducting an un-American form of government?' and 'Do you still believe as you stated in a letter of August 16, 1941 that President Roosevelt is subversive to everything we have held sacred?'.

30. That Board considered the letter of subject's adviser dated December 23, 1942, Exhibit "E", addressed to amember of the Board, and received after the hearing. It is the opinion of the Board that this is a sly and subtle attempt by the subject to covertly intimidate the Board and unduly influence it in itsconclusions. The Board is informed that subject has written letters of similar tenor to the Commanding General, Eastern Defense Command and others; such sinister activity on the part of subject is characteristic and of a piece with this man's activities formany years in German-American circles. This man is cunning. He is a chronic letter writer and professional agitator. He has no visible means of support. His story that he derives his livelihood and supports his family in Italy on the proceeds of a non-existent brokerage business which he carries on in his own home is incredible and is not believed. His principal activity and occupation for many years in the Yorkville section of New York have been in connection with what has definitely been established as un-American, pro-Nazi propaganda.

31. That subject's presence in any vital defense area is inimical to the security of the United States.

RECOMMENDATIONS:

1. That subject be excluded from the Eastern Military Area.

/s/ Lt. Col. Aaron A. Melniker, JACD

/s/ Lt. Col. Eugene Prince, GSC

/s/ Maj. Elwood P. Saxer, Inf.

APPROVED: T. A. Terry,
Major General, U. S. Army. "

The facts in this case have been discussed at length with Assistant United States Attorney JOHN F. SONNET in the Southern District of New York and Assistant United States Attorney ROBERT R. DANN of the Southern District of New York. Mr. SONNET stated that he had read and approved the Army Hearing Board's Exclusion order on MERTIG and felt that for the time being this was the most effective way of dealing with MERTIG. He stated that he and Mr. DANN had considered calling MERTIG before the Grand Jury in the hopes of catching MERTIG in a perjury. However, on later reflection he felt that nothing could be gained by this procedure and that it would be a waste of Grand Jury time to let MERTIG make a speech. He stated however that he would very carefully consider the facts of this case from a possible denaturalization standpoint and would await the submission of the report covering later investigation in the case before making his decision.

From Confidential Informant [redacted] a copy of a letter which MERTIG addressedto the Attorney General was received. This letter, dated January 7, 1943 at New York City, is quoted as follows. In this connection it should be pointed out that the matter referred to by MERTIG with reference to the search of his apartment is covered in the report of Special Agent RICHARD A. JOHNSON dated November 2, 1942 at New York, N.Y. b7D

"

CITIZENS' PROTECTION LEAGUE
(Equal Rights for All)

KURT MERTIG, Chairman

New York, N.Y.
Jan. 7, 1943
317 E. 54th St.

Hon. Francis Biddle
The Attorney General
Department of Justice Building
Washington, D.C.

Dear Sir:-

" On the morning of October 14, 1942, five special agents of the FBI came to the undersigned'sprivate premises, announced their official standing and declared their intention to search my premises without a proper search warrant.

b3

When I resisted this apparent attempt to impose upon presumed ignorance, by me, of the proper procedure, the five agentscalled this 'Lack of co-operation on my part' and then asked me to sign a waiver of my right to be served with a search warrant.

When I still insisted on the proper constitutional way, the five agents composing this 'commando raid', asked me to accompany them to the headquarters of the FBI and the office of the U. S. Attorney, Matthias F. Correa, at the U. S. Court Building, New York City, to which I goodnaturedly gave ready assent, although I was by no means obliged to do so.

I then pointed out to Exe. Asst. U. S. Attorney John F. Sonnett that the absence of a search warrant in the hands of my visitors had obviously resulted from the fact that the request for my presence and for the producing of my papers upon call of the five agents, had not been accompanied by the making against me of any formal charge of misconduct, and that the absence of such charge was in turn based very obviously upon the non-existence of such misconduct on my part; and that the repeated attempts to execute a search without a warrant was therefore quite manifestly a contumacious and thoroughly un-American attempt to by-pass my constitutional rights.

When Mr. Sonnett gave indication that he recognized the correctness of the position thus stated by me, I at once reciprocated by signing the waiver without further controversy, was accompanied back to my residence by four of the agents who then proceeded from 1:30 PM to 5:30 PM to make the search, gave me a receipt for the documents which seemed to suit their purpose and promised to restore them to me within 'a couple of days'.

The only complaint I have against the five FBI agents (who in every other respect behaved like gentlemen) isthat my neighbors were widely informed by them concerning this official identity and the purpose of their visit and thus had created the impression that I suddenly was unmasked and taken away as an undesirable and disloyal citizen, which happens to be the exact opposite of the

"truth, and to be quite inconsistent with the fact that I have repeatedly been nominated by my neighbors as a candidate for responsible electoral honors.

Such procedure, if authorized by the Federal Bureau of Investigation, tends to provide our newspapers with abasis of highly colored and sensational recitals which are not only very cruelto innocent victims of such trade practices, but also tend to create in the minds of persons not yet empaneled as jurors -- and therefore at liberty to read such misleading newspaper recitals -- a highly prejudiced presumption of guilt, even before the trial of a defendent has officially commenced.

When my papers were not returned within a few days, I called on Exe. Asst. U. S. Attorney John F. Sonnett to ask for the return of the same and to ask him also for the reason of serving on me the Grand Jury subpoena, and the reason for asking me to sign a waiver to permit the five agents of the FBI to search my premises without a search warrant, to which Mr. Sonnett replied in the presence of F.B.I. agent R. A. Johnson, that I did not stand charged with any crime to which I retorted that the fact nevertheless remained that I was inconvenienced by the search of my home, the unfavorable reports spread among my neighbors and the sequestration of my papers and that I therefore insisted to find out what the rumpus was about, and in particular desired to be afforded an opportunity of testifying and giving evidence before the Federal Grand Jury in regard to an alleged violation of Title 18, Section 88, U. S. Code, as stated on the subpoena above referred to.

When I thereafter did not receive a call to appear before the Grand Jury and neither had my papers returned, I wrote to Federal Judge John C. Knox, on whose authority the subpoena was issued, as per attached copies of October 19th and 23rd, 1942 and as per his suggestion sent to the Grand Jury on October 31st, 1942 a full statement of my experience with the five FBI agents and Exe. Asst. U. S. Attorney Sonnett on October 14, 1942 and requested them to call and question me. Not having heard from that body, I wrote to the Federal Grand Jury again on December 29, 1942 as per attached copy, to which communication I have neither received a reply.

Also on suggestion of Judge Knox I wrote to Mr. Sonnett of Mr. Correa's staff on November 10, December 5 and Dec. 28, 1942, as per attached copies to subpoena me to appear before the Federal Grand Jury and subject me to an examination, as I desired as an American citizen to put an end definitely to any whispering campaign emanating fromhis office or that of the Federal Bureau of Investigation, but I did not get any response.

And nowI finally write to you to kindly look into this matter, because if no charge can be presented either against the Citizens' Protective League or myself, I feel that I am entitled to a letter from you testifying to my good citizenship and giving me a clean Bill of Health.

I maintain in the first place that as a loyal American citizen, I should not, as previously stated, have been inconvenienced; and, in the second place,

"that an unsheathed sword should not be kept hanging over my head for such a long time.

I claim that the 'commando raid' of October 1th, 1942 had been nothing but a 'fishing expedition' and that any 'facts' allowed to be imagined, as having existence in the background, are in reality non-existent; and that this illegal attempt of araid on my apartment has therefore been inspired by somebody's guesswork and possible malice and smacks of persecution.

Initiating such proceedings on suspicion so baseless and so absurdly unsubstantiated can only result in nebulous situations and detract from the dignity of the law.

The true administration of justice is the firmest pillar of good government!

Will you therefore be so good to investigate this matter and thereupon write me a letter absolving the Citizens' Protective League and me of any charges of conspiracy, misconduct, disorderly conduct or what have you and oblige.

Very sincerely yours,

/s/ Kurt Mertig,
Chairman
CITIZENS' PROTECTIVE LEAGUE"

- PENDING -

UNDEVELOPED LEAD

THE NEW YORK FIELD DIVISION

At New York, N.Y.

Will discuss this case as to the filing of a denaturalization complaint with Executive Assistant United States Attorney JOHN F. SONNET of the Southern District of New York.

CONFIDENTIAL INFORMANTS

Confidential Informants as appear in the report of Special Agent RICHARD A. JOHNSON dated at New York City on February 26, 1943 are as follows:

T-1 is Mr. W. P. DAVISON, War Policy Division, United States Department of Justice.

T-2 is S. A. DIANA, Inspector in charge of United States Department of Immigration and Naturalization Service, Ellis Island, New York.

T-3 is [redacted] whose identity is known to the Bureau. b7D

MJR

TITLE: KURT MERTIG; INTERNAL SECURITY - G; DENATURALIZATION PROCEEDINGS.

S. A. RICHARD A. JOHNSON

DATE: 2/26/43

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b7D

New York, New York

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF [illegible] 4/14/81

HDO:N:EMD
100-16314

~~CONFIDENTIAL~~

March 10, 1943

Director, FBI

RE: KURT MERTIG
INTERNAL SECURITY - G

Dear Sir:

There are being transmitted herewith two copies of the report of Confidential Informant [redacted] dated March 2, 1943, regarding the subject.

b7D

A copy of this report is being retained in the New York investigative case file on the subject.

Very truly yours,

DECLASSIFIED BY SP-2 GSK/BJA/RLS
ON 2/4/81

E. E. CONROY
SAC

ENC 2
CC--NY File #62-6772

ORIGINAL FILE IN 61-7421-474

ENCL

RECORDED & INDEXED

65-20553-36

FEDERAL BUREAU OF INVESTIGATION
MAR 15 1943
U.S. DEPARTMENT OF JUSTICE

INITIALS ON ORIGINAL

30 APR 12 1943

EX-43

No: 337

March 2, 1943 Page One

The writer saw Kurt Mertig in his home last night. He had two Germans as his guests. One, Carl Halder said that the FBI had been inquiring about him where he lived. He said that Germany would still win the war and that Russia still would be beaten into submission.

Mertig said that he planned to go to Washington, D.C. sometime the end of this week and lodge another protest with the FBI against their methods of investigating.

[redacted]

b7D

ENCLOSURE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-1 GSK/BJA/RLS

RECORDED 6[illegible] 36

FEDERAL BUREAU OF INVESTIGATION MAR 15 19[illegible] U.S. DEPARTMENT OF JUSTICE

New York, N.Y.

HDO:MCH
100-16314

May 1, 1943

~~CONFIDENTIAL~~

Director, FBI

Re: KURT MERTIG;
CUSTODIAL DETENTION - G

Dear Sir:

There are being transmitted herewith to the Bureau, two copies of report of Confidential Informant [redacted] dated April 29, 1943, regarding a conversation he had with subject relative to his exclusion from the New York area by the military authorities.

b7D

A copy of the report of Informant [redacted] is being retained in the New York case file on subject.

Very truly yours,

E. E. CONROY,
S.A.C.

Encs. (2)

DECLASSIFIED BY SP4 CLK/VB
ON 11/12/99

90

RECORDED 65-20553 37

FEDERAL BUREAU OF INVESTIGATION
MAY 6 1943
U. S. DEPARTMENT OF JUSTICE

FILE

11 JUN 01 1943

ORIGINAL FILED IN

No: 402

April 29th, 1943 Page One

The writer spoke with Kurt Mertig, 317 East 54th Street, N.Y.C. last night. He said that he has not heard anything from the Military Evacuation Board since his last appearance there. He asserted that he has not heard of any further removals amongst his friends.

Mertig still writes letters, protests and other advisory matters for Germans, both alien and naturalized, as he has done in the past.

He said that on Tuesday night, April 27th, he had a Russian as a guest at his home. This Russian he said was born in Russia and served with the Russian Army in the last war and deserted to the German lines and became a German citizen, subsequently serving in the German Army in the same war.

Mertig, added that this Russian whom he did not identify visited Leningrad, Russia for a considerable time before the German-Russian conflict in 1941 and returned to Germany after ~~xx~~ being requested by the Russians to leave the country because of his suspicious activities. Mertig said that this Russian is convinced that Germany will finally beat Russia to her knees because the Russians are unable to both starve and freeze.

Mertig told the writer that he also conferred recently with a German women who spent considerable time in Russia before the present conflict and then returned to Germany and is now in this country. He did not identify the woman.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-1 GSK/BJA/RD

ENCLOSURE

RECORDED & INDEXED 65-20553-37

FEDERAL BUREAU OF INVESTIGATION MAY 6 1943 U.S. DEPARTMENT OF JUSTICE

FILE

No: 402

April 29th, 1943 Page Two

Mertig advised the writer that he has sought the assistance of Judge N.W. Rogers of Tompkins Corners, N.Y. in his efforts to prevent his evacuation from this military area.

Rogers in the past has been active in certain phases of Nazi propaganda, specifically the publication of anti-Semitic pamphlets which he wrote and paid for and which were printed by the Nazi National Press Assn. which was owned and operated by Peter H. Stahrenberg.

Rogers also was a close associate of Mertig in his pro-Nazi Citizens Protective League. He collaborated with Louis Zahne and Willy ~~Kirchheit~~ Mitchell who in the past were active National Socialists.

When Mertig sought Rogers assistance, he says that he was curtly informed by Rogers that he, Rogers did not want to impair his patriotism by aiding Mertig. As a consequence Mertig is very bitter toward his former associate.

b7D

Federal Bureau of Investigation
United States Department of Justice

New York, New York

CAO'B:DEC
100-16314

April 30, 1943

Director, FBI

Re: KURT MERTIG
DENATURALIZATION PROCEEDINGS (G)

Dear Sir:

MR. JOHN F. SONNETT, Assistant United States Attorney, Southern District of New York, was interviewed to determine what prosecutive action was to be undertaken by his office regarding the above captioned subject.

MR. SONNETT explained that his office was considering the facts of this case but at this time felt that no complaints would be filed toward the denaturalization of this subject.

The Exclusion Order of the United States Attorney would explain all that could be desired with respect to this subject. However, before making his final decision, he wished to make a detailed study of the facts. When he made his decision, Mr. SONNETT said he would notify the New York Field Division.

Very truly yours,

E. E. Conroy
E. E. CONROY
SAC

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HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/RLS

COPIES DESTROYED
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Memo to Smith 5/17/43

65-20553-38

RECORDED
27 MAY 3 1943

FOR VICTORY
BUY
UNITED STATES DEFENSE BONDS AND STAMPS

C.I.F.

53 51

55 MAY 29 1943

FIVE

JOHN EDGAR HOOVER
DIRECTOR

CC-287

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Kramer
Mr. McGuire
Mr. Harbo
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

DML:PC
Received: 3:55 PM
Transcribed: 4:05 PM

January 13, 1943

MEMORANDUM FOR MR. WELCH

Judge Holtzoff of the Department called at this time and advised that he had just received a telephone call from Mr. Rotnam, Chief of the Civil Rights Section of the Criminal Division. The Attorney General's Office sent to see Mr. Rotnam, a man by the name of Kurt Mertig and several associates of his. Mertig is apparently a chairman of an organization in New York known as the Citizen's Protective League. Mertig has a letter addressed to the Attorney General protesting against an alleged search made by FBI agents of the headquarters of this organization. Judge Holtzoff stated their complaint is somewhat hazy; that they claimed that their premises were searched without proper search warrant, but they admit that they signed a waiver. Judge Holtzoff stated they then objected to the fact that they were asked to sign a waiver.

Judge Holtzoff stated that Mr. Rotnam called him to let him know about this because he, Rotman, thought it may be that the FBI would like to interview these people and if so, he would be very glad to send them over to the FBI.

I told Judge Holtzoff that I thought that since they had their complaint with Mr. Rotnam that he should take it and we would furnish our facts to the Bureau and inquired if he saw any reason for us to talk to them. Judge Holtzoff stated that Mr. Rotnam has claimed that on several other occasions he has referred people who made complaints against the Bureau to the Bureau.

Judge Holtzoff stated that of course Mr. Rotnam will see these people first and get the facts, but he, Judge Holtzoff, believes it may be advantageous to the Bureau to see these people because we could ask them some questions and get some information from them, which Rotnam would not think of getting. I advised that he could tell Mr. Rotnam that these people should come to see Mr. Welch in Room 1529.

I told Judge Holtzoff that you would be advised of the above and should expect these people in to see you.

RECORDED 165-2255-3 39

Very truly yours,

D. M. Ladd

FOR VICTORY BUY UNITED STATES DEFENSE BONDS AND STAMPS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-1 (SK/SDA/RW

53 MAY 26 1943

EX-55

27 MAY 20 1943

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

CTL:AWS:AJM

146-28-101

DEPARTMENT OF JUSTICE

WASHINGTON, D.C.

JUN 11 1943

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Kramer
Mr. McGuire
Mr. Quinn
Mr. Nease
Miss Gandy
Files

MEMORANDUM FOR MR. J. EDGAR HOOVER
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Re: Kurt Mertig

Reference is made to your memorandum of May 19, 1943, wherein you request our opinion as to whether the activities engaged in by Mertig would justify prosecutive action under the Foreign Agents Registration Act.

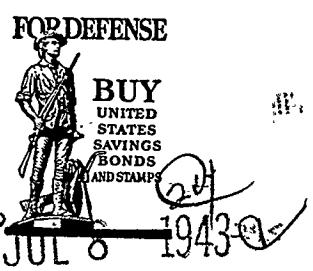
Our study of Mertig's activities is not complete, but we expect to be in a position to make a definite recommendation in the near future. We will advise you of our opinion as soon as possible.

Respectfully,

Chester T. Lane

Chester T. Lane
Associate Chief, Special War Policies Unit
War Division

Ack 7/6/43



RECORDED 165-20553-40
F B I
27 JUN 11 1943

FIVE

6 JUL 8 1943

Mr. Clo...
Mr. Coffey
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

WASH NY 17 NYC 11 709 P

DIRECTOR

NEON. KURT MERTIG, DP - G, IEO. LT GEN H A DRUM, ECD, ISSUED IEO DATED JUNE SEVEN, EXCLUDING SUBJECT FROM ENTIRE EASTERN MILITARY AREA. BUREAU WILL BE ADVISED OF SERVICE OF THIS ORDER.

RECORDED 65-20553-41 CONROY

PLS HOLD

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-1 GSK/BSM/RL

JUN 21 1943

NEW YORK, 7, NEW YORK

~~CONFIDENTIAL~~

June 22, 1943

HDO:IB
100-16314

Director, FBI

Re: KURT MERTIG
CUSTODIAL DETENTION

Dear Sir:

There are transmitted herewith to the Bureau two copies of a report of Confidential Informant [redacted] dated June 14, 1943, relative to statements made by subject that he would not consent to further interviews as the information derived from subject would be used to the detriment of other Germans.

A copy of this report of Informant [redacted] is being retained in the New York case file under the above caption.

Very truly yours,

E. E. CONROY
Special Agent in Charge

DECLASSIFIED BY SP-1 GSK/RJA/RU
ON 2/4/81

CC: N. Y. File No. 62-6772

Encl. (2)

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP(S) Declass
DATE 4/14/81

RECORDED 65-20553-42

INITIALS ON ORIGINAL

FEDERAL BUREAU OF INVESTIGATION
JUL 1 1943
U. S. DEPARTMENT OF JUSTICE
FILE

ENCL

173

61 JUL 8 1943

No: 459

June 14th, 1943

Page One

The writer talked with Kurt Mertig in his home this evening. He said that he plans to move from his present address, 317 East 54th Street, N.Y.C. to another apartment when finds one more suitable. He says that his present residence is not suitable for his interviewing of the many Germans who come to him seeking his advice.

Mertig says that he will no longer grant any interviews to FBI agents because he says that they are attempting to gain evidence and admissions from him to use against other Germans and he will not consent to it.

Mertig stated that he is only representing two German newspapers in this area at the present time, they are "Sonntag Post" and the "Herald-Post" which originate in the middle west. He asserted that the other German newspapers which he handled were of Schwabian origin and did not have any appeal to German readers in this section of the country.

He says that the two newspapers which he represents are in dire financial straits and may eventually have to close down. He says that there are no German response to these papers either in advertizing or circulation.

Mertig had three Germans visit him while the writer attended him and they came to discuss various problems appurtenant to aliens now interned.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SBG/BJA/RS

ORIGINAL FILED IN 61-7279

ENCLOSURE

RECORDED 65-20553-42

INDEXED 73

FEDERAL BUREAU OF INVESTIGATION JUL 1 1943 U.S. DEPARTMENT OF JUSTICE

FILE

b7D

Rating - good - [illegible]

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

CTL:AWS:AJM

146-28-101

DEPARTMENT OF JUSTICE

WASHINGTON, D.C.

JUL 6 1943

Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Candy
Files

MEMORANDUM FOR MR. J. EDGAR HOOVER
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

RE: Kurt Mertig,

In your memorandum of May 19, 1943 you set out the communications between the Bureau and the Department relative to the above individual, and included in this list is a report of Special Agent Richard A. Johnson, September 16, 1942 at New York City entitled Kurt Mertig, Internal Security - (G), which you state was forwarded to the Criminal Division on September 29, 1942.

We have made a diligent effort to locate this report but have been unable to do so. In order that we may review all the material presently available on the above individual, we would appreciate your forwarding to this Unit a copy of the report of Special Agent Johnson.

Respectfully,

Chester T. Lane

Chester T. Lane
Acting Chief, Special War Policies Unit
War Division

Copy wherein telephonically advised on 7/21/43 that this report had been located by the Special War Policies Unit with 7/22/43

RECORDED 65-20553 43

FOR DEFENSE
BUY
UNITED STATES SAVINGS BONDS AND STAMPS

123

Op 57 JUL 23 1943

New York, New York

HDO:HEM
100-16314

June 15, 1943

Director, FBI

~~CONFIDENTIAL~~

Re: KURT MERTIG
INTERNAL SECURITY - G

Dear Sir:

There are transmitted to the Bureau herewith two copies of a report of Confidential Informant [redacted] whose identity is known to the Bureau, dated June 8, 1943, relative to the pro-German activities of the subject.

A copy of this report of Informant [redacted] is being retained in the New York case file on the subject for the benefit of the agent to whom this case is assigned.

Very truly yours

DECLASSIFIED BY SP-2 GS/C/BJA/RS
ON 2/4/81

E. E. CONROY
SAC

Enclosures

cc NY File #62-6772

APPROPRIATE AGENCIES

RECORDED
&
INDEXED

65-20553-44

JUN 17 1943

FILE

173

No: 451

June 8th, 1943 Page One

Kurt Mertig, 317 East 54th Street, New York City remains the principal focal point of all Nazi activity in the City of New York.

Mertig continues to have a constant flow of visitors to his home at the above address. These visitors are mostly German aliens and some naturalized Germans with National Socialist persuasions.

Mertig has an average of about three or four persons each evening, who come to him for advice and guidance usually pertaining to subjects relating to the war as it affects Germans here. He often writes letters, protests and sends notes for these individuals as requested. Mertig likewise, sends Germans to various lawyers when they seek legal advice.

Mertig punctually listens on his short wave radio, morning and evening to the Berlin broadcasts and is specifically interested in Nazi propaganda broadcasts given in Portuguese and Spanish. He speaks and understands both of these languages.

Mertig intends to testify on behalf of the defense in the case of Helmuth Leiner when it comes to trial.

Mertig's present activities which he has been engaged in since his friend and confidant, Willy Mitchell, returned to Germany as the head of the NSDAP here, has given Mertig access to considerable information received from interviews with these Nazis who have great confidence in him and unquestionably

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/15/00 BY SP-1 CLK/GB

RECORDED & INDEXED

ENCLOSURE
65-20553-44
FEDERAL BUREAU OF INVESTIGATION
JUN 17 1943
U.S. DEPARTMENT OF JUSTICE
FILE

Rating-90

confide many secrets to him which he himself admits.

In the last analysis, Mertig's residence is the key point of Nazi activity at present. Mertig says that several members of the party have visited him recently for advice.

Kurt Mertig continues to be the Eastern distributor and advertizing solicitor for a group of German mid-western newspapers, headed by the Sonntag Post. He distributes these newspapers weekly to newsstands in Yorkville.

In no way has Mertig curbed his activities and appears to be as active as ever in the Nazi cause.

b7D

New York 7, N. Y.

HDO:DJK
100-16314

July 7, 1943

~~CONFIDENTIAL~~

Director, FBI

RE: KURT MERTIG
CUSTODIAL DETENTION-G

Dear Sir:

There are transmitted to the Bureau two copies of the report of Confidential Informant [redacted] dated June 29, 1943, containing information to the effect that the AMERICAN CIVIL LIBERTIES UNION has declined to defend subject against expulsion from this military area, etc.

b7D

It is to be noted that Informant [redacted] relates that subject has Germans coming to his home at late hours under suspicious circumstances.

Informant has been instructed to make every effort to ascertain the identity of these individuals.

Very truly yours,

DECLASSIFIED BY SP-1 GSK/RJA/RU
ON 2/4/81

E. E. CONROY
SAC

APPROPRIATE AGENCIES

declass 2/4/81

Encls.

cc: NY 62-6772

RECORDED
INDEXED
061

65-[illegible]-45
FEDERAL BUREAU OF INVESTIGATION
JUL 9 1943
U. S. DEPARTMENT OF JUSTICE

1 ENCL.
061

27 JUL 27 1943

ORIGINAL COPY FILED IN 61-9777-599

No: 476

June 29th, 1943 Page One

The writer talked with Kurt Mertig in his home this evening. He told the writer that he had a letter from the American Civil Liberties Union declining to defend him against expulsion from this military area. Mertig who had solicited the aid of this organization says that he had been promised full legal aid at no cost to him and that he was instructed to immediately advise the ACLU if he should be forcibly removed from this section of the country.

Embittered over this reaction of the ACLU, Mertig has consulted with attorney James Wilkinson who is counsel for Col. E.N. Sanctuary; consultations with Wilkinson cost Mertig $10.00 which he has paid him. Mertig says that Wilkinson asked him for $125.00 to finance a trip by him and Everett Chamberlain to Washington, D.C. to lobby in Congress for Mertig's resolution and petition to the House Judiciary committee on the Military Exclusion Act. Mertig was incensed by this request and says that his confidence in Wilkinson is shattered. He says that he does not need a lobbyist but an attorney to defend him should he be removed from this area.

Mertig says that Wilkinson called Mr. Corcoran on the telephone requesting the Department of Justice to indict Mertig. Mertig complained of this action on the part of Wilkinson which he says he did oon his own initiative.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-7 6 84/SSA/RD

65-20553-45

ENCLOSURE

Rating-good-H-RP

Wilkinson according to Mertig advised him to have $100.00 in cash on hand for bail money should he be seized.

Mertig advised the writer that he will not engage Wilkinson as his lawyer and requested the writer to make an appointment for him with Edwin Livingston whom he wants to defend him. Mertig plans to remain at his present address and let events take their course while in the meantime prepare to test the constitutionality of the Exclusion Act should he be seized. He has asked to whom he should entrust his list of Germans whom he has helped and consented to give them to the writer who will forward same as soon as received. He wants the writer to canvass these Germans for funds for his defense.

In the last analysis, Mertig is determined to fight this case should it materialize, even though he is penilless.

Upon leaving Mertig's home, a German visited him and as he approached the door, he gave Mertig the Hitler ~~xxxxxx~~ salute. This German was about 55-60 years old and appeared to be a laborer or restaurant worker returning from his job. His arrival appeared to be expected and he was quite anxious that the writer did not meet him. Mertig has had Germans coming to his home at very late hours under suspicious circumstances. These Germans may be N.S.D.A.P. members who formerly reported to Mertig's repatriated friend, Willy Mitchell.

b7D

CITIZENS' PROTECTIVE LEAGUE

(EQUAL RIGHTS FOR ALL)

MEETINGS EVERY MONDAY, 8:30 P.M. AT NEW YORK TURNHALL, COR. 85TH STREET & LEXINGTON AVE., N.Y.C.

KURT MERTIG, CHAIRMAN

NEW YORK, N.Y. July 1, 1943.
~~1253 LEXINGTON AVE~~
317 E. 54th St.

OFFICE OF THE ATTORNEY GENERAL
JUL 2 - 1943

Hon. Francis Biddle
THE ATTORNEY GENERAL
Department of Justice Building
Washington, D. C.

Dear Sir:-

I beg to refer to my letters of January 7th and 12th as well as to my call made at your office on January 13th and my subsequent conversations with Mr. S. P. Meyers in room 2211 and Messrs. Flynn and Walsh of the F B I in the Department of Justice Building during the same day.

I may have occasion to be in Washington next Wednesday or Thursday or Friday and should like to speak to somebody of authority regarding my ostensibly just grievance.

Yours very truly,

Kurt Mertig

Kurt Mertig
chairman
CITIZENS' PROTECTIVE LEAGUE

no ack
Mertig is a well known pro Nazi who worked with Wm Mitchell, former head of the Nazi Party in the U.S. He has been excluded from the Eastern Defense Command by the Army and is continuous protector regarding alledged violation of his rights. He should not have a Bureau letter in his possession.
Dorothy
W H Harvey

RECORDED
65-20553 46
F B I
21 JUL 5 1943

50 JUL 23

WKH:IS
RECORDED 9879
7/6/43

CC: S. Culbertson-1258
W. A. Johnson-1225

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 SW/SP/MLG

MEMORANDUM FOR MR. LAWRENCE H. C. SMITH
CHIEF, SPECIAL WAR POLICIES UNIT

RE: KURT HERTIG

Reference is made to my previous communications to you concerning the above-captioned individual. For your further assistance and consideration in connection with any possible prosecutive or restrictive action against Kurt Hertig, the following information is being called to your attention.

On June 17, 1943, an Individual Exclusion Order was served on the above-captioned subject, and he was instructed to report to the military authorities in New York City on June 21, 1943, for fingerprinting, photographing and an interview concerning his destination. Hertig refused to to report on June 21, 1943, and has not left the Eastern Defense Command as ordered. Hertig has formally notified the military officials that he will contest the Individual Exclusion Order on grounds of unconstitutionality. Information has been received from a highly confidential informant that on July 2, 1943, Kurt Hertig requested legal aid from the American Civil Liberties Union in New York City, but that the ACLU refused to assist him.

The New York Field Division of this Bureau has been instructed to present the facts in this case to the United States Attorney in New York City, in view of the possible prosecution of Hertig for a violation of Public Law 503, based on his failure and refusal to comply with the provisions of the Individual Exclusion Order issued against him.

As of possible interest in connection with this case, information has also been received by this Bureau from the highly confidential informant above mentioned that Hertig continues to be extremely active in advising German aliens in the New York area, and continues writing numerous letters of protest to various government officials concerning the alleged persecution of Germans in this country. This informant, who is closely associated with the activities of the German colony in New York City, has stated that National Socialists in New York have great confidence in Hertig, and that [redacted] residence at the present time is a key point of German activity. ([redacted] - 6/15/43) b7D

Mr. Tolson
Mr. E. A. Tamm
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Tracy
Mr. Gurnea
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Holloman
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

It will be appreciated if you will advise me of any action which you decide to take or to instruct the United States Attorney to take in the matter of the above-captioned subject.

RECORDED
INDEXED

COMMUNICATIONS SECTION
MAILED 15
JUL - 7 1943
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

173

In connection with this matter reference is also made to my memorandum to you in the above-captioned case dated May 19, 1943, and to your memorandum dated June 11, 1943, in answer thereto, advising that you at that time expected to be in a position to make a definite recommendation concerning possible prosecutive action against Hertig within the near future.

It will be appreciated if you will advise also at this time if you have as yet reached any conclusion as to the possibility of prosecuting the above subject for a violation of the Foreign Agents Registration Act, or of any other statute within the investigative jurisdiction of this Bureau.

Very truly yours,

John Edgar Hoover
Director

CC: Assistant Attorney General
Wendell Berge

2:25 AM
7-2-43
Nr action
RLD

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUL 2 - 1943

TELETYPE

Mr. T...
Mr. E. A. Tamm
Mr. Clo...
Mr. Coo...
Mr. ...
Mr. ...
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 LSK/BOA/RLS

WASH NY 3 NYC 2 1241 A

DIRECTOR

UMBO. KURT MERTIG, DP-G, IEO. E O SERVED ON SUBJ JUNE SEVENTEEN AND SUBJ INSTRUCTED TO REPORT TO MILITARY OFFICIALS JUNE TWENTY ONE FOR FINGERPRINTING, PHOTOGRAPHING AND INTERVIEW RE DESTINATION. SUBJ REFUSED TO REPORT ON JUNE TWENTY ONE AND DID NOT LEAVE EASTERN MILITARY AREA AS ORDERED. SUBJ HAS WRITTEN MILITARY OFFICIALS HE WILL CONTEST THE ORDER AS UNCONSTITUTIONAL. MERTIG OBSERVED IN NYC TODAY BY AGENTS. HE REQUESTED ~~LEAL XXX~~ LEGAL AID FROM AMERICAN CIVIL LIBERTIES UNION BUT [redacted] ADVISES THEY REFUSED TO ASSIST HIM. FACTS TO BE PRESENTED TO USA RELATIVE TO PROSECTUION FOR VIOLATION OF PUBLIC LAW FIVE NAUGHT THREE.

b7D

CONROY

PLS HOLD

Ack 7/6/43
Blue memo to Ladd 7/5/43
memo to Smith
Berge
7/6/43

65-20553-48
F B I
17 JUL 13 1943

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

CTL:AWS:AJM

146-28-101

DEPARTMENT OF JUSTICE

WASHINGTON, D.C.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Mr. Gurney
Files

JUL 12 1943

MEMORANDUM FOR MR. J. EDGAR HOOVER
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

RE: Kurt Mertig.

Reference is made to your memorandum of July 7, 1943 relative to the above individual. At this time we are not in a position to answer your memorandum due to the fact that we do not have available all of the investigative reports on the above subject. On July 6 we sent you a memorandum requesting a report of Special Agent Richard A. Johnson dated September 16, 1942 at New York City. As soon as a copy of this report is received, we will promptly review the investigative material on Mertig and make such recommendations as may be warranted.

Respectfully,

Chester T. Lane

Chester T. Lane
Associate Chief, Special War Policies Unit
War Division

Ray Wheatley on 7/21/43 telephonically advised that the Special War Policies Unit had located this report 7/21/43 [illegible]

RECORDED 65-2[illegible]-49

EX-46

173

JUL 22 1943

Op. 2

New York 7, N.Y.

HDO:AG
100-16314

July 2, 1943
~~CONFIDENTIAL~~

Director, FBI

Re: KURT MERTIG
CUSTODIAL DETENTION - G

Dear Sir:

Transmitted herewith to the Bureau is a copy of a report of Confidential Informant [redacted] whose identity is known to the Bureau, dated June 21, 1943 containing information to the effect that the American Civil Liberties Union has agreed to act as attorneys for the subject in the event he receives an order from military authorities to evacuate this military area.

The other copies of this report are being retained in the New York case file on the subject.

Very truly yours,

E. E. Conroy
SAC

Enc - 1

b7D

DECLASSIFIED BY SP-1 GSK/BOA/RLS
ON 2/4/81

ENCL

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY SEPTEL
DATE 4/14/81

RECORDED & INDEXED

65-20553-50
FEDERAL BUREAU OF INVESTIGATION
JUL 8 1943
U. S. DEPARTMENT OF JUSTICE

20 JUL 20 1943

EG

No: 467

June 21, 1943

Page One

Kurt Mertig, 317 East 54th Street, N.Y.C. received a warrant last Thursday, June 17th, 1943 to evacuate this military area. He has replied to the warrant in the negative, advising the authorities that he will ignore the order.

As instructed previously by the American Civil Liberties Union to let them know when he received an expulsion order, Mertig went to this organization and advised them of the receipt of this order.

They told Mertig, that provided he will consent to carry the case through they will act as attorneys for him without cost. They told Mertig that with his consent they will seek an injunction and test its constitutionality.

Mertig says that he talked with an attorney of the American Civil Liberties Unionby the name of Clarence Foster and that he advised Mertig to inform him immediately if he should be forcibly ejected from this military area.

Mertig has "Major" Honore Jaxon staying with him in his apartment for the purpose, he says of being a witness should he be seized and to notify the American Civil Liberties Unionof the Action.

b7D

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/00 BY Sp/Clk/JE

5 mlsh

ENCLOSURE

65-20553-50

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUL 10 1943

TELEGRAPH

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/BOA/RU

WASH NY 12 NYC 10 5.17 P

DIRECTOR

KINO. KURT MERTIG, DENAT PROCEEDINGS G, I E O REFER BUREAU LETTER JULY SIX, NINETEEN FORTY THREE. FACTS PRESENTED ASST USA JOHN SONNETT, SDNY, WHO ADVISED DEPARTMENTAL POLICY IS TO PROSECUTE REFUSAL TO COMPLY WITH EXCLUSION ORDER ONLY IF ARMY REQUESTS PROSECUTION. GENERAL DRUM HAS BEEN ADVISED. THIS OFFICE AWAITS REPLY FROM GENERAL DRUM. USA HAS INDICATED WILL HOLD UP PROSECUTION, IF ARMY REQUESTS IT, PENDING OUT COME OF OLGA SCHUELLER CASE IN PHILADELPHIA.

RECORDED 65-20553-81

5 JUL 15 1943

23 JUL 23 1943

Blue memo to Ladd - 7/15/43

CONROY

Federal Bureau of Investigation
United States Department of Justice
New York, New York

CFP:MCS
100-16314

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-1 GSK/BJA/RLS

July 15, 1943

Director, FBI

~~DEFERRED RECORDING~~

RE: KURT MERTIG
DENATURALIZATION PROCEEDINGS - G
INDIVIDUAL EXCLUSION ORDER
(Bureau file 65-20553)

Dear Sir:

Reference is made to Bureau letter dated May 31, 1943, wherein it is stated that the New York Office has failed to comply with the instructions contained in Bureau Bulletin 67, dated November 11, 1942, with regard to the reporting of individuals who are considered and excluded from various military areas.

The Bureau's attention is directed to the report of Special Agent Richard A. Johnson, New York, dated February 26, 1943, which reflects that subject, KURT MERTIG, was given a hearing before the Exclusion Hearing Board on December 16, 1942 at which time the Board recommended that he be excluded from the entire Eastern Military area. The report of the Exclusion Hearing Board was summarized in this report. Individual Exclusion Order was not carried in the character of this report inasmuch as no exclusion order was actually issued until June 7, 1943. The New York Office was notified of the issuance of the Exclusion Order on June 11, 1943 on which date the Bureau was notified by teletype. The Bureau has been kept advised of all subsequent developments by teletype dated July 1, 1943, reporting that the order was served on subject June 17, 1943 and that he had refused to comply with the order and by teletype dated July 10, 1943, advising that Assistant United States Attorney, John Sonnett, had said that Departmental policy required a request for prosecution from the Military authorities.

There has been no further developments since July 10, 1943 and the case is presently pending the action of General Drum and Assistant United States Attorney, John Sonnett.

RECORDED 65-20553

FOR VICTORY BUY UNITED STATES WAR BONDS AND STAMPS

COPIES DESTROYED
R 250 AUG 22 1950

FINE

It is pointed out that Bureau Bulletin 67, dated November 11, 1942, contains no instructions relative to reporting Exclusion matters prior to the actual issuance of the Exclusion Order, As a matter of office policy, I have been advising the Bureau of the Exclusion Hearing Board's recommendation and have been summarizing the information in their reports by general investigative report.

Very truly yours,

E. E. Conroy

E. E. CONROY,
SAC

WKH:IS
65-20553
7/24/43

MEMORANDUM FOR MR. LAWRENCE M. C. SMITH
CHIEF, SPECIAL WAR POLICIES UNIT

RE: KURT MERTIG;
INTERNAL SECURITY - G
REGISTRATION ACT
SEDITION
INDIVIDUAL EXCLUSION ORDER

Reference is made to my previous memoranda to you concerning the above-captioned individual, who, as you will recall, has refused to comply with the provisions of an exclusion order issued against him by the Eastern Defense Command.

For your additional consideration and assistance in connection with the above-captioned case, information has now been received from a confidential source that on July 9, 1943, Mertig was calling on the individual members of the Judiciary Committee of the House of Representatives in an effort to effect the repeal of Public Law 503.

Information has been received also that in connection with those contacts Mertig has stated that his exclusion was unconstitutional and that the board of officers which excluded him consisted of two Jews and one other officer, implying by such statements that the composition of the exclusion board affected his exclusion.

~~RECORDED~~
~~Very truly~~ yours,

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/BJA/RLS

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. McGuire
Mr. Mumford
Mr. Piper
Mr. Quinn Tamm
Mr. Neaso
Miss Gandy

COMMUNICATIONS SECTION
MAILED 3
JUL 24 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

John Edgar Hoover
Director

CC: Mr. Wendell Berge
Assistant Attorney General

RECORDED
65-20553-53
FEDERAL BUREAU OF INVESTIGATION
JUL 26 1943
U.S. DEPARTMENT OF JUSTICE
JUL 24 P 02 PM '43

WH:IS
65-20553
7/24/43

CC: W. A. Johnson

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-1 GSK/ BJA/RLS

MEMORANDUM FOR MR. LAWRENCE M. C. SMITH
CHIEF, SPECIAL WAR POLICIES UNIT

RE: KURT MERTIG;
INTERNAL SECURITY - G
REGISTRATION ACT
DENATURALIZATION PROCEEDINGS
INDIVIDUAL EXCLUSION ORDER

Reference is made to my previous communications to you concerning the possible prosecution of the above-captioned individual.

I have been informed that some months ago Mr. W. P. Davison, who, I understand, was formerly assigned to the Special War Policies Unit, received certain material from the Foreign Funds Control Section of the United States Treasury Department, dealing with the Hardt Press. This material consisted of correspondence between the Hardt Press, which published "Die Neue Woche", and the German Railroads Information Office, the correspondence being addressed to or signed by either Bruno Loesener, or Kurt Mertig, who at one time was the advertising manager for this publication.

RECORDED 65-20553-54
FEDERAL BUREAU OF INVESTIGATION
JUL 31 1943
U. S. DEPARTMENT

I have also been advised that Mr. C. Jerome Simmons of the Special War Policies Unit advised Agents of the New York Field Division of this Bureau that the transactions revealed by this correspondence constituted a violation of the Foreign Agents Registration Act of 1938, on the part of both Kurt Mertig and Bruno Loesener.

In this connection your attention is directed to the report of Special Agent Richard A. Johnson, dated February 26, 1943, at New York City, in the above-captioned case, a copy of which report has previously been made available to you. As you will note, this report sets out certain material received by the New York Field Division from Mr. Davison, who is designated as Confidential Informant T-1 in the above-noted report.

With regard to your consideration of the possibility of prosecuting Kurt Mertig for a violation of any statute over which this Bureau has investigative jurisdiction, it is requested that the above information be specifically considered.

It will also be appreciated if you will furnish me with any information in the possession of or available to the Department, not already forwarded to the Bureau, concerning Kurt Mertig, Bruno Loesener, the Hardt Press or William Schlittenhardt, who was also connected with the Hardt Press.

Very truly yours,

John Edgar Hoover
Director

CC: Mr. Wendell Berge
Assistant Attorney General

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. McGuire
Mr. Mumford
Mr. Piper
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

COMMUNICATIONS
JUL 26 1943
FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE

34 JUL 31 1943

HR:SB
7/9/43
65-20553-55

BY SPECIAL
MESSENGER

PERSONAL AND
~~CONFIDENTIAL~~

DECLASSIFIED BY SP-1 [illegible]
ON 2/4/81

Major General George V. Strong
Assistant Chief of Staff, G-2
War Department
Washington, D. C.

Dear General Strong:

I thought that you would like to know that this Bureau has just received information that Kurt Mertig, 317 East 54th Street, New York City, who has been excluded by Lieutenant General Hugh A. Drum from the Eastern Defense Command, is calling on the members of the House Judiciary Committee in an effort to persuade that committee to report out a bill repealing Public Law 503, approved March 21, 1942. Mertig is claiming that his exclusion from the Eastern Defense Command is unconstitutional, and is making the statement that the board of officers which excluded him consisted of two Jews and one other officer. It was pointed out to this Bureau that Mertig might conceivably find someone on the House Judiciary Committee who might listen to him, not because of any approval of subversive activities but because of the opportunity that might be offered to embarrass officials of the Government.

These data are transmitted to you for your very confidential information and such action as you may deem advisable.

Sincerely yours,

John Edgar Hoover
Director

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Kramer
Mr. McGuire
Mr. Harbo
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2 BY

COMMUNICATIONS SECTION
MAILED 7
JUL 12 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECEIVED-DIRECTOR
F B I
DEPT OF JUSTICE
JUL 24 4 42 PM '43

RECEIVED-MAIL
JUL 15 15 SP 1943

APPROPRIATE AGENCIES

DATE

JOHN EDGAR HOOVER
DIRECTOR

CC-287

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Kramer
Mr. McGuire
Mr. Harbo
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

HR:SB
Call: 1:45 P.M.
Dictated: 2:45 P.M.

July 9, 1943

MEMORANDUM FOR MR. LADD

Re: KURT MERTIG
INDIVIDUAL EXCLUSION ORDER

Mr. Harold Buckles, Secretary to Congressman John H. Tolan of California, called and stated that Kurt Mertig, 317 East 54th Street, New York City, who has been excluded from the Eastern Defense Command by General Drum, just called on him and that Mertig was very upset and indignant. He insisted that his exclusion was unconstitutional and, among other things, remarked to Mr. Buckles that the board of officers which excluded him consisted of two Jews and one other officer.

Subject Mertig wants the House Judiciary Committee to report out a bill repealing Public Law No. 503, which is the Act of Congress ratifying Executive Order 9066 giving the Secretary of War the power to establish military areas and to exclude therefrom dangerous persons.

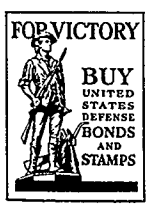
Mr. Buckles stated that Mertig is making the rounds of the members of the House Judiciary Committee in an effort to effect repeal of Public Law 503. Mr. Buckles stated that from his knowledge of the members of the House Judiciary Committee he is afraid that Mertig will strike one or two who will listen to him, not because they approve of subversive activities but because of the opportunity to embarrass some of the people in power.

Mr. Buckles advised that Mertig entered the United States in 1910 and claims to have been naturalized in New York County in 1923. He complained that he was excluded six months after the original hearing. He described himself as chairman of some sort of public forum, the name of which was not recorded by Mr. Buckles. The order excluding Mertig bears number E-96(2-12) and is dated June 7, 1943. Mr. Buckles stated he got the impression that Mertig was very active before the war, in isolationist activities. He stated that despite the long time Mertig has been in this country he still has a powerful German accent.

RECORDED & INDEXED

65-20553-55

Mr. Buckles stated that he would like to know whether this Bureau has investigated Mertig, and also whether the Bureau concurred in his exclusion from the Eastern Defense Command. I told Mr. Buckles that the Bureau does not make any recommendations in these cases, but that I would check into



memo from Smith
cc-Berge
Letr to Tyler 7/24/43

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/BJA/RLS

5 Kamp

the matter and see what I could let him know and would call him back.

At 2:05 P.M. I called Mr. Buckles and advised him that this Bureau has investigated Mertig and that we turned over the information in our possession to the military authorities without any recommendation.

Mr. Buckles thanked me for this information and stated that one of his reasons for calling was that he wanted the Bureau to know that Mertig is making the rounds of the judiciary committe.

Respectfully,

Harold Ranstad

KCH:vj
8-19-43

MEMORANDUM FOR MR. EDWARD J. EDNIS
DIRECTOR, ALIEN ENEMY CONTROL UNIT

RE: KURT HERTIG;
REGISTRATION ACT; SEDITION;
INDIVIDUAL EXCLUSION ORDER

I have recently received advice through a confidential source that James Wilkinson, who was acting as counsel for the captioned individual, has died on the West Coast.

My informant states that Hertig is looking for a new attorney and has in mind possibly retaining one Edwin Livingston, evidently of New York City.

The above information is being made available to you for such interest and value as it may have with regard to the captioned matter.

Very truly yours,

John Edgar Hoover
Director

b7D

CC: Mr. Wendell Berge
Assistant Attorney General

RECORDED & INDEXED

65-20553-56

FEDERAL BUREAU OF INVESTIGATION
AUG 23 1943
U. S. DEPARTMENT OF JUSTICE

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DATE 2/14/81 BY SP-1 GSK/SDM/RLS

COMMUNICATIONS SECTION
AUG 26 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE

AUG 25 1943

WKH:IS
65-20553 - 55

July 24, 1943

SAC, New York

RE: KURT MERTIG;
INTERNAL SECURITY - G
REGISTRATION ACT
SEDITION
INDIVIDUAL EXCLUSION ORDER

Dear Sir:

For your information and assistance in connection with the above-captioned case, information has been received by the Bureau from Mr. Harold Buckles, secretary to Congressman John H. Tolan of California, that on July 9, 1943, Kurt Mertig was contacting the members of the Judiciary Committee of the House of Representatives in an effort to effect the repeal of Public Law 503.

Mr. Buckles stated also that in connection with these contacts Mertig was stating that his exclusion from the Eastern Defense Command was unconstitutional, and that the board of officers which excluded him consisted of two Jews and one other officer, thus implying that the composition of the exclusion hearing board affected his exclusion.

Very truly yours,

John Edgar Hoover
Director

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. McGuire
Mr. Mumford
Mr. Piper
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

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COMMUNICATIONS SECTION
MAILED 3
JUL 24 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

61 AUG 5 1943

JUL 24 4 42 PM '43
RECEIVED-DIRECTOR
FBI
DEPT OF JUSTICE

New York, 7, N. Y.

HDO'N:DH
100-16314

August 18, 1943

~~"CONFIDENTIAL"~~

Director, FBI

RE: KURT MERTIG;
INTERNAL SECURITY-G.

Dear Sir:

There are transmitted herewith to the Bureau two copies of the report of Confidential Informant [redacted] dated August 11, 1943 containing information regarding the decease of JAMES WILKINSON, the attorney of subject.

A copy of this report of Informant [redacted] is being retained in the New York Office file under the above caption.

Very truly yours,

E. E. CONROY
SAC

1 ENCL

APPROPRIATE AGENCIES AND FIELD ... ADVISED ... DATE 4/14/81

cc: 62-6772

65-20553-57

AUG 24 1943

DECLASSIFIED BY SP-2 GSK/BJA/RW RECORDED
ON 2/4/81

b7D

ORIGINAL COPY FILED IN

215

NO: 496

August 11th, 1943

Page One

Please be advised that Kurt Mertig, 317 East 54th Street, N.Y.C. who had retained James Wilkinson as his attorney is seeking new counsel due to the death of Wilkinson on the West Coast.

Mertig indicates that he probably will retain Edwin Livingston as counsel.

[redacted]

b7D

ENCLOSURE

RECORDED

65-20553-57

AUG 2-1 .3

U.S. ...

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP9 GSK/BJA/RD

Rating - fair - NRO

EDWARD J. ENNIS
DIRECTOR

REPLY TO: E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Gordon
Mr. Hanford
Mr. Starke
Mr. Jean Tamm

Department of Justice

Alien Enemy Control Unit

Washington

August 25, 1943

MEMORANDUM FOR MR. J. EDGAR HOOVER
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Reference is made to the report of Special Agent Richard A. Johnson, dated November 2, 1942, at New York City, in the case entitled "Kurt Mertig; Internal Security - G", setting forth copies of lists seized during a permissive search of the premises of Kurt Mertig. These lists purported to set forth the names of individuals desiring repatriation to Germany.

These lists have been consolidated and checked against the records of this Unit and of the Department. It appears that a number of the individuals whose names were contained on the lists have not been repatriated nor has information with respect to them been furnished to this Unit or the Division of Records by your Bureau. I attach a list setting forth the names of such individuals.

It is requested that you transmit to me the information contained in the files of your Bureau with respect to each of the individuals named on the attached list. It is further suggested that complete investigations be conducted in each case to determine the nature of their recent activities and their sympathies and loyalties in the present conflict. I believe it would be advisable in each case to conduct a thorough neighborhood and employment investigation unless such has already been conducted.

DEFERRED RECORDING

I will appreciate your advising me of the action taken or proposed by you with respect to these individuals.

EX - 58

RECORDED & INDEXED D189

65-20553-58
F B I

31 AUG 26 1943

Edward J. Ennis
Director

Attachment

1 ENCL E 31 D189

Total 67 names
Memo Ennis 9/4/43 RDD
Ltr NYC 9/8/43
2 Ltrs Newark 9/8/43 RDD

Harvey with

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-6CK/BJA/RD

58 SEP 10 1943

Op. 5

1 nR Ardell, Mrs. Bertha
2 Bahler, Willy
3 Bauer, Frieda and two children
4 Berk, Adam
5 Berk, Berta
nR6 Bock, Hermann Karl
nR7 Brockmann, Henry
nR8 Brockman, Klara (wife)
nR9 Cruenkorn, Carl and wife
* 10 Dietrich, Otto
* 11 Dietrich, Mrs. and child
12 Dietz, Metta
nR13 Erpnold, Leonhard
nR14 Erpnold, wife and three children
* 15 Fritz, _ and wife
* 16 Hamsa, Hans
* 17 Hannemann, Kurt
18 Hermann, Max
OR 19 Hermann, Amalie
* 20 Heimann, Ernst
* 21 Hoecker, Ernst
* 22 Hoecker, Marie
* 23 Hoeschen, Anne-Marie
* 24 Immoor, Henry
nR25 Immoor, Lisbeth (wife)

OR 26 Janta, Charles P.
nR27 Janta, Herta
28 Kemnitzer, Fritz
* 29 Kratt, Christian
* 30 Kratt, Winnie, wife
31 Leucht, Hermann
32 Mauer, Mrs. Suse
33 Mayer, Emilie
* 34 Meier, Anni
35 Menzner, Oskar
36 Menzner, Lotte (wife) and son
* 37 Meyer, Erich Otto
* 38 Milewsky, Kurt
nR39 Milewsky, Mrs. and two infants
40 Naack, Gerhard
* 41 Nuernberger, Karl
? 42 Ophemert, Carl von
nR43 Ophemert, Mrs. see [illegible]
* 44 Pagel, Else
* 45 Peters, Maria
? 46 Riche, Karl
47 Schelke, Anton
48 Schlosser, Alfred
49 Schlosser, Gertrude
50 Schickert, Heinz

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/[illegible]

65-20553-58

Schickert, Klaus

Schickert, Hedi (daughter)

Stocksicker, Richard

NR O NR
Stocksicker, Mrs. (Berll Alexy)

Stocksicker, Irene (child)

Stockschlaeger, Helene

Siegl, Lisl

Umscheit, Kilian

NR
Umscheit, Mrs. and baby

Umscheit, Otto

Umscheit, Anna

Vahldieck, Otto

Vahldieck, Margarete (daughter)

Vogel, Guenther

Wallmann, Paul

Wallmann, Ella and daughter

Welter, Katharina

NEW YORK, N.Y.

HDO:MTC
100-16314

August 11, 1943

DIRECTOR, F.B.I.

RE: KURT MERTIG
CUSTODIAL DETENTION - G
DENATURALIZATION PROCEEDINGS

Dear Sir:

There is transmitted herewith to the Bureau, two copies of a report of Confidential Informant [redacted] dated August 6, 1943, relative to actions and statements made by subject regarding the order of the military authorities excluding him from this area.

A copy of this report of Informant [redacted] is being retained in the New York case file under the above caption.

Very truly yours,

E. E. CONROY,
SAC

ENC.

CC: 62-67

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-1 GSK/BOB/RCB

RECORDED & INDEXED

65-20553-59
FEDERAL BUREAU OF INVESTIGATION
AUG 14 1943
DEPARTMENT OF JUSTICE

12 SEP 2 - 1943

ORIGINAL COPY FILED IN

b7D

No: 491

August 6th, 1943 Page One

The writer interviewed Kurt Mertig today. He says that he has beaten the FBI and stands out as the only case where a German has had his rights respected because he demanded them. Mertig is jubiliant and confident that he will never be removed from this military area.

He says that his attorney, James Wilkinson was leaving New York on a vacation-business trip and communicated with Mr. Sonnett relative to Mr. Mertig's case inquiring as to any action that might be taken and if such action would be taken while he was away. Mertig says that Wilkinson was told by Mr. Sonnett that no action in the Mertig case was presently considered.

Mertig says that Wilkinson is of the opinion that the Government will not attempt to remove Mertig from this military district and that he should proceed with his activities as heretofore.

Mertig is still having German citizens visiting his home at 317 East 54th Street, N.Y.C. and giving them advice as to their problems and difficulties in war-time, as well as writing letters for them.

German aliens are also coming to his home to hear short wave broadcasts over his radio from Berlin and to learn the latest news from Germany.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-1 GSK/BOA/RLD

ENCLOSURE

b7D

WKH:IS
65-20553
8/31/43

8

MEMORANDUM FOR MR. LAWRENCE L. C. SMITH
CHIEF, SPECIAL WAR POLICIES UNIT

RE: KURT MERTIG
INTERNAL SECURITY - G
REGISTRATION ACT
SEDITION
DENATURALIZATION PROCEEDINGS

Reference is made to my recent memorandum to you concerning the comments made by Mr. W. P. Davison and Mr. C. Jerome Simmons, concerning the possible prosecution of Kurt Mertig and Bruno Loosener, for a violation of the Foreign Agents Registration Act of 1938.

A review of the Bureau files fails to reflect any reply to my reference memorandum and in accordance with the request therein, it will be appreciated if you will furnish me as soon as possible with all information in the possession of or available to the Department not already forwarded to the Bureau, concerning Kurt Mertig, Bruno Loosener, the Hardt Press or William Schlittenhardt.

Very truly yours,

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 CSK/BSA/RLS

John Edgar Hoover
Director

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

Mr. Randall Berge
Assistant Attorney General

RECORDED

65-20553-6

FEDERAL BUREAU OF INVESTIGATION
SEP 1 1943
U. S. DEPARTMENT OF JUSTICE

COMMUNICATIONS SECTION
MAILED 11
AUG 31 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECEIVED READING ROOM
AUG 31 1943
F. B. I.
U. S. DEPT. OF JUSTICE

SEP 2 - 1943

WKH:IS
8/28/43

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-7 GSK/BJA/RLS~~

~~CONFIDENTIAL~~
BY SPECIAL MESSENGER

Assistant Chief of Staff
C-2, War Department
Washington, D. C.

Attention: Colonel L. R. Forney

Dear Sir:

As of possible interest to you with regard to Kurt Mertig, against whom an Individual Exclusion Order has been entered, advice has now been received from a highly confidential informant who, in the past, has proved reliable, that Mertig has recently stated that he has "beaten the FBI" and that his case is the only case where the rights of a German have been respected, which has been due, according to Mertig, to the fact that he demanded his rights.

According to this report also, Mertig is jubilant concerning his present position and confidently states that he will never be removed from the Eastern Defense Command pursuant to the Individual Exclusion Order entered against him.

The informant stated that Mertig advised that his attorney, James Wilkinson, had been told that the Government contemplated taking no action concerning his exclusion at the present time.

For your further information and assistance in connection with this matter, this informant states that Mertig has continued his past activities, which have previously been called to your attention, and is still advising and counseling numerous German nationals. In addition, according to this report, German nationals continue to frequent Mertig's home, for the purpose of listening to the short wave radio broadcasts beamed to this country from Berlin by the German Ministry of Propaganda and Peoples Enlightenment.

This matter has been called to the attention of the Criminal Division of the Department of Justice, with the request that advice be furnished as to what action it proposes to take against Mertig in view of his refusal to comply with the order issued against him.

RECORDED 65-20553-61

Very truly yours,

John Edgar Hoover
Director

FEDERAL BUREAU OF INVESTIGATION
SEP 1 1943
U.S. DEPARTMENT OF JUSTICE

COMMUNICATIONS SECTION
MAILED 7
AUG 30 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

Tolson
E. A. Tamm
Clegg
Coffey
Glavin
Ladd
Nichols
Rosen
Tracy
Acers
Carson
Harbo
Rendon
Mumford
Starke
Quinn Tamm
Nease
Gandy

29 SEP 3 1943

DECLASSIFIED BY SP-7 GSK/BJA/RLS
ON 2/4/81

WKH:IS
65-20553
8/28/43

CLASS. & EXT. BY
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW

CONFIDENTIAL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

MEMORANDUM FOR MR. LAWRENCE M. C. SMITH
CHIEF, SPECIAL WAR POLICIES UNIT

RE: KURT MERTIG
INTERNAL SECURITY - C
DENATURALIZATION PROCEEDINGS
REGISTRATION ACT
SEDITION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1

Reference is made to my previous communications to you concerning a possible prosecution of the above-captioned individual. In connection with this request, I have now been advised that Mr. James Sharp, Special Assistant to the Attorney General, recently called at the New York Field Division of this Bureau and stated that in his opinion a successful prosecution of Mertig could be based on the theory that Mertig acted as an agent of the N.S.D.A.P. (also known as National Socialist German Workers Party or Nazi Party). I have been advised that Mr. Sharp expressed the opinion that Mertig acted as an agent of the N.S.D.A.P., inasmuch as he undertook to assist in the repatriation of certain German aliens who were members of the N.S.D.A.P.

Mr. Sharp advised Agents of the New York Office that he had been in contact with the Swiss Consulate in New York City, and that the Consulate furnished him with information that on one occasion the German authorities cabled the Swiss Legation in Washington, D. C., and advised that Willy Mitchell was to be instructed to prepare a brief list of German nationals for repatriation.

According to Mr. Sharp, these instructions were given to Mitchell through the Swiss Consulate in New York City, and in this connection Mr. Sharp stated that if it could be proved that Mertig worked with Mitchell on this project until Mitchell returned to Germany, and subsequently, there would be a good basis for a prosecution of Mertig for a violation of the Foreign Agents Registration Act of 1938.

I have been informed also that Mr. Sharp stated that he felt commercial channels have been used in sending messages to the Swiss Legation and that, therefore, the cable from Germany with the instructions to Mitchell might not be available as evidence.

Mr. Sharp stated in addition that in his opinion Mertig's actions in seeking the release of persons from the armed forces might amount to a violation of the Sedition statutes, although he felt that this was a

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

173

COMMUNICATIONS SECTION
MAILED 15
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECORDED 65-20553-62

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

CONFIDENTIAL

~~CONFIDENTIAL~~

weak possibility, inasmuch as Hertig may have written the various letters in connection with these attempts at the specific request of the members of the armed forces involved, or their friends or relatives.

In connection with the opinion which has previously been requested from you concerning a possible prosecution of Hertig, your comments concerning the above matters will be appreciated.

Very truly yours,

John Edgar Hoover
Director

CC: Assistant Attorney General
Tom C. Clark

~~CONFIDENTIAL~~

WKH:IS
65-20553
8/~~29~~/43
31

August 31, 1943

RECORDED 65-20553-63

PERSONAL ATTENTION

SAC, New York

RE: KURT MERTIG
INTERNAL SECURITY - G
DENATURALIZATION PROCEEDINGS
REGISTRATION ACT
SEDITION

Dear Sir:

Reference is made to your letter to the Bureau in the above-captioned case dated August 5, 1943, specifically setting out certain comments made by Mr. James Sharp, Special Assistant to the Attorney General, concerning the possible prosecution of Kurt Mertig.

This matter has been referred to the Department of Justice in connection with the Bureau's previous request for an opinion as to the possible prosecution of Mertig.

It is desired that your investigation of the above-captioned case be expedited and that this matter be given intensive and immediate attention, in order that a full and complete supplemental report can be made available to the Bureau as soon as possible.

In conducting the remaining investigation in this case, particular care should be taken to develop all possible information indicating that the voluminous correspondence addressed by Mertig to various Government officials was instigated by him rather than resulting solely from the requests which he received from various individuals of German extraction.

Very truly yours,

John Edgar Hoover
Director

Mr. Tolson
Mr. E.A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. McGuire
Mr. Mumford
Mr. Piper
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

COMMUNICATIONS SECTION
MAILED 7
SEP 3 1943
U.S. DEPARTMENT OF JUSTICE

RECEIVED READING ROOM
SEP 3 1943
U.S. DEPARTMENT OF JUSTICE

1 SEP 7 1943

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DATE 2/4/81 BY SP-1 CSK/[illegible]

Federal Bureau of Investigation

United States Department of Justice

New York, New York

CAO:AMT
100-16314

August 5, 1943

Director, F.B.I.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/GDA/RLS

Re: KURT MERTIG;
REGISTRATION ACT - G
(Bureau file 65-20553.)

Dear Sir:

MR. JAMES SHARP, Special Assistant to the Attorney General, called personally at the New York Field Office on July 27, 1943 in regard to possible prosecution of KURT MERTIG for violation of the Registration Act.

MR. SHARP was of the opinion that a successful prosecution could be made on the theory that MERTIG acted as agent for the N.S.D.A.P. inasmuch as he undertook to obtain the repatriation of certain German aliens, the theory being that this action would amount to acting for the N.S.D.A.P. if MERTIG knew that these aliens were members of the Nazi Party.

It was also MR. SHARP'S opinion that MERTIG'S action in seeking the release of persons from the armed forces might amount to a violation of the Sedition Statute. However, MR. SHARP admitted that the possibility of making a violation was rather weak, inasmuch as MERTIG may have undertaken the writing of these letters for the release of persons from the armed forces only at the request of friends or the soldiers themselves.

MR. SHARP informed that he had been in contact with the Swiss Consulate in New York City. The Consulate furnished him with information that German authorities had cabled the Swiss Legation in Washington, D.C. on one occasion and advised that WILLY MITCHELL was to be instructed to prepare an approved list of German citizens for repatriation. These instructions were forwarded to WILLY MITCHELL through the Swiss Consulate in New York City.

If, therefore, it could be proven that MERTIG worked for WILLY MITCHELL on this project until MITCHELL'S return to Germany and subsequent thereto, there would be a good basis for a violation of the Foreign Agents Registration Act of 1938. MR. SHARP felt that commercial channels had been used in sending a message to the Swiss Legation and therefore the cable from Germany to MITCHELL would not be available as evidence.

RECORDED & INDEXED 65-20553-63

It was MR. SHARP'S intention to make these recommendations to the Attorney General and they will undoubtedly be forwarded subsequently to the Bureau.

FOR VICTORY BUY UNITED STATES SAVINGS BONDS AND STAMPS

Very truly yours,

E. E. Conroy

E. E. CONROY
Special Agent in Charge

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

TCC:LLL:JMK

146-28-101

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Gurnea
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy
Files

September 9, 1943

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION.

Re: Kurt Mertig; Internal Security - G,
Registration Act
Sedition
Denaturalization Proceedings.

Receipt is acknowledged of your memorandum dated August 30, 1943, advising of additional information concerning the above-captioned matter and requesting advice as to any action contemplated against Mertig in view of his refusal to comply with the Individual Exclusion Order issued against him.

The Criminal Division has this matter under consideration and you will be advised of its decision at the earliest possible moment.

Respectfully,

Tom C. Clark
TOM. C. CLARK,
Assistant Attorney General.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 65X/BJA/RLS

RECORDED 146-20553-64
30 SEP 11 1943

FOR DEFENSE
BUY
UNITED
STATES
SAVINGS
BONDS
AND STAMPS

57 SEP 14 1943

RECORDED

RDD:MCM
9/4/43
65-20553 — 65

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 65K/85K/RC

MR. EDWARD J. ENNIS, DIRECTOR
ALIEN ENEMY CONTROL UNIT

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. McGuire
Mr. Mumford
Mr. Piper
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

INDIVIDUALS LISTED BY KURT MERTIG
FOR REPATRIATION

Reference is made to your memorandum of August 25, 1943, requesting information concerning certain individuals whose names appeared on repatriation lists found in the possession of Kurt Mertig, which lists were set out in the report of Special Agent Richard A. Johnson, dated November 2, 1942, at New York, New York.

The names set out in the lists which were attached to referenced memorandum have been checked against the Bureau's indices. Investigations have already been conducted on a number of the subjects and there is attached hereto memorandum referring to such investigations. Concerning a considerable number of the names, the Bureau files contained references with no pertinent information and regarding others, there was no record whatsoever. In these cases, investigations are being initiated and you will be advised as soon as the results are received.

Enclosure

COMMUNICATIONS SECTION
M A I L E D
SEP 9 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE

RECEIVED READING ROOM
U.S. DEPT. OF JUSTICE

RDD:MCM
9/4/43

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GK

WILLY BAHLER

This individual sailed for Germany on the SS Serpa Pinto on July 3, 1942. (100-119291)

FRIEDA BAUER, and 2 children

The report of Special Agent W. A. Loose dated September 4, 1942, at New York City entitled "Gustav Bauer, Frieda Bauer, Internal Security, Alien Enemy Control, Foreign Funds" reflected that the subject's premises were searched, that she was interviewed, and that the United States Attorney for the Eastern District of New York declined to take any action against the subject. This report was furnished to the Division of Records on October 20, 1942. The two children are Irving and Heinz Bauer, both born in the United States. (100-126255)

ADAM BERK

The report of Special Agent Leonard M. Frisoli dated February 15, 1943, at New York City, entitled "Adam Berk; Bertha Berk" reflects that the above-named subject was arrested on February 5, 1943. This report was sent to the Division of Records on March 10, 1943. (100-27361)

The report of Special Agent Vincent K. Antle dated May 11, 1943, at New York City, and bearing the same title, reflected that the subject was given a hearing before the Alien Enemy Hearing Board and that he was subsequently paroled. This report was sent to the Division of Records on May 27, 1943. (100-27361)

BERTA BERK

This subject is the wife of Adam Berk, referred to in the previous paragraph. The report of Special Agent Antle, referred to above, indicates that the United States Attorney for the Eastern District of New York recommended that no action be taken as to Berta Berk. (100-27361)

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. Mumford
Mr. Starks
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

METTA DIETZ

RECORDED & INDEXED

65-20553-65

The report of Special Agent J. D. Pope dated July 3, 1942, at New York City entitled "Herman Dietz" indicates that Metta Dietz is the wife of Herman Dietz who returned to Germany before the war. This report sets out the background of Metta Dietz and was furnished to the Division of Records on October 7, 1942. (100-119030)

MAX HERRMANN

This individual is apparently identical with Max Herrmann, who was the subject of a Bureau investigation. The report of Special Agent J. J. Gleason, Jr., dated April 28, 1942, at New York City, entitled "Max Theodore Herrmann, Internal Security - G, Alien Enemy Control, Foreign Funds" was sent to the Alien Enemy Control Unit on May 13, 1942. The report of Special Agent Robert E. Penland, dated September 16, 1942, in the same case, indicates that the Attorney General ordered the subject interned. This report was sent to the Division of Records on October 21, 1942. (100-98855)

MCM

AMALIE HERRMANN

This individual is apparently identical with Amalie Herrmann, who was a subject of a Bureau investigation. The report of Special Agent J. J. Gleason, Jr., dated June 17, 1942, entitled "Max Theodore Herrmann; Amalie Anna Herrmann" reflected the apprehension of the subject as an enemy alien. This report was furnished to the Department on July 13, 1942. The report of Special Agent Manuel H. Lindau, dated January 11, 1945, at New York City, entitled "Amalie Anna Herrmann" indicates that the Attorney General ordered her interned. A copy of this report is being furnished to the Division of Records. (100-98855)

CHARLES P. JANTA

This individual is also known as Carl Heinz Janta, Karl Jander, Karl Heinz. The Bureau files indicate that he has been connected with Herbert Oettgen at Radio Station WRNK. The report of Special Agent Donald A. Hausler dated August 17, 1943, at New York City, entitled Herbert Friedrich Oettgen, Registration Act, Denaturalization Proceedings" sets out details concerning the background and activities of Janta, beginning on page 27 of the report. This report is being sent to the Division of Records. (65-26745)

HERTA JANTA

This individual is the wife of Charles P. Janta, referred to above, and the report mentioned above contains information concerning her background and activities. (65-26745)

SEP 12 PM '4
RECEIVED
U.S. DEPT. OF JUSTICE

FRITZ KEMNITZER

This individual was arrested as an enemy alien on June 28, 1942. The report of Special Agent Peter G. Roth, Jr., dated September 9, 1942, entitled "Fritz Ernest Kemnitzer, EE-S-520, Internal Security - G, Alien Enemy Control" reflects that the Attorney General ordered the subject interned. This report was sent to the Division of Records on October 31, 1942. (100-110681)

HERMANN LEUCHT

This individual was arrested on March 3, 1942, as an enemy alien. The report of Special Agent L. A. Langille, dated July 28, 1942, entitled "Hermann Robert Leucht, Internal Security - G, Alien Enemy Control" reflects that the Attorney General ordered the subject interned. This report was sent to the Division of Records on August 28, 1942. (100-60828)

MRS. SUSE MAUER

The Bureau records indicate that this individual sailed from the United States on the SS Nyassa on June 14, 1942, to be returned to Germany.

(See Repatriation Index)

EMILIE MAYER

The Bureau records indicate that the subject sailed from the United States on the SS Nyassa on June 14, 1942, en route to Germany. (100-158763 and Repatriation Index)

OSKAR MEEDNER

The Bureau records indicate that the subject sailed from the United States on the SS Serpa Pinto on July 3, 1942, en route to Germany. (See Repatriation Index)

LOTTE MUNSEN and son

The Bureau records indicate that the subject and her son sailed from the United States on the SS Serpa Pinto on July 5, 1942, en route to Germany. (See Repatriation Index)

GERHARD HAACK

This individual appears to be identical with Gerhard Haack, who sailed from the United States on the SS Drottningholm on June 3, 1942, en route to Germany. (See Repatriation Index)

CARL VON OPHEMERT

This individual appears to be identical with Carl Von Ophemert who was the subject of a Bureau investigation. The report of Special Agent Richard A. Johnson, dated December 15, 1942, at New York City, entitled "Carl Heinrich Von Ophemert, with aliases, Alien Enemy Control - G, Foreign Funds" was sent to the Division of Records on May 20, 1943. This report indicates that the subject was arrested as an enemy alien on November 24, 1942. The report of Special Agent Robert E. Penland, dated February 26, 1943, in the same case, indicates that the Alien Enemy Hearing Board recommended parole of the subject, which was subsequently approved by the Attorney General. This report was sent to the Division of Records on April 14, 1943. (100-28985)

ANNA OPHEMERT

This individual, Anna, is the wife of Carl Von Ophemert, who is referred to in the preceding paragraph. (100-28985)

KARL RICHE

This individual was investigated in April of 1941 as a purchaser of Reichsmarker Marks, but no evidence of subversive activities or anti-American tendencies was discovered. A copy of the report of Special Agent M. M. Cummins, dated April 9, 1941, at New York City, entitled "Carl Riche, alias Karl Riche, Internal Security - C" is being sent to the Division of Records. (100-20347)

ANTON SCHRLER

This individual was the subject of a Bureau investigation. Reports in the case were sent to the Division of Records. The last of these, the report of

Special Agent Graham W. Mitchell, dated April 7, 1943, at New York City, entitled "Anton Schelkle, alias Anton Schelke, Internal Security - G, Alien Enemy Control", indicated that the Attorney General had approved the internment recommended by the Alien Enemy Hearing Board. This report was sent to the Division of Records on April 27, 1943. (100-152396)

ALFRED SCHLOSSER

The report of Special Agent John T. Hilsbos, dated May 18, 1943, at New York City, entitled "Alfred Schlosser" was sent to the Division of Records on May 28, 1943. This report gave the subject's address as 715 East 183rd Street, Bronx, New York, which is different from the address set out in Kurt Mertig's list. However, Mertig's list gave the same address for Schlosser as for Helen and Willi Jorewitz, and it is noted in the report of Special Agent Hilsbos that Schlosser advised, upon interview, that his sister, Helen Jorewitz, had been interned on October 23, 1942. This indicates that the Schlosser on Mertig's list is identical with the subject of the report of Special Agent Hilsbos. This report gave the background of Schlosser. Subsequent thereto, Schlosser was apprehended on June 30, 1943, on emergency authority of the United States Attorney and a Presidential Warrant was issued thereafter. The subject was released on interim parole to await the action of the Alien Enemy Hearing Board. (100-152780)

GERTRUDE SCHLOSSER

This individual is the wife of Alfred Schlosser, referred to above. The Bureau files contain no information concerning her other than that set out in the report on Alfred Schlosser. (100-152780)

HEINZ, KLAUS, and HEDI SCHICKERT

The above-named individuals are the children of Dr. Adolph Schickert and his wife, Else Schickert, both of whom were ordered interned by the Attorney General. During the alien enemy proceedings, the mother indicated her desire to have her children here if internment was ordered. Heinz is one and one-half years old, Klaus is four, and Hedi is seven. (65-6870)

HELENE STOCKSCHLAEGER

The Bureau files indicate that the above-named individual is apparently identical with Helen Stockschlader, the mother of Leo Stockschlader. Information regarding Leo Stockschlader is set out in the report of Special Agent C. H. Bartlett, dated April 23, 1942, at New York City, entitled "Leo Stockschlader, Internal Security - G, Alien Enemy Control". This report was sent to you on May 11, 1942. Leo Stockschlader was arrested as an enemy alien but was paroled in June, 1942. At that time, he was said to be 37 years old although the age of his mother was not reported. (100-94741)

KILIAN UNSCHEIT

The report of Special Agent Leo J. Fitzsimmons, dated April 19, 1943, at New York City, entitled "Kilian Unscheit, Internal Security - C, Alien Enemy Control, Foreign Funds" reflects the search of the premises of the above-named individual, an interview, and the fact that the United States Attorney for the Southern District of New York declined any action against the subject. This report was sent to the Division of Records on May 11, 1943. (100-200129)

MRS. UNSCHEIT and Baby

The above-named individual is the wife of Kilian Unscheit and the baby is [redacted]. The report of Special Agent Fitzsimmons, referred to above, reflects that the United States Attorney for the Southern District of New York declined action against Mrs. Unscheit. (100-200129)

b6
b7C

KATHARINE SELTER

The report of Special Agent John T. Hilsbos, dated August 11, 1943, at New York City reflects that a search of the subject's premises was conducted, that she was interviewed, and that the facts were presented to the United States Attorney for the Southern District of New York, who recommended that the case be closed. This report is being sent to the Division of Records. (100-226583)

Justice Doc.

JOHN EDGAR HOOVER
DIRECTOR

CC-287

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. McGuire
Mr. Mumford
Mr. Piper
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

JCS:SB

August 18, 1943

MEMORANDUM FOR MR. LADD

Re: KURT MERTIG
INTERNAL SECURITY - G
REGISTRATION ACT
SEDITION
INDIVIDUAL EXCLUSION ORDER

Mr. Burling of the Department called at my office accompanied by Mr. Clemenko of the Criminal Division and Mr. Clapp of the Alien Enemy Control Unit, and advised that the Department is considering possible prosecution of Mertig under the Registration Act, but that they have noted in one of the reports of SA Richard A. Johnson, dated November 2, 1942, there were five lists of Germans, allegedly in the United States, found in his possession. The individuals listed appeared to be individuals whom the German government desired repatriated. They claim that Mertig took over the activities of Willie Fischer after Fischer returned to Germany, and theywould like all the information we have on the individuals included on the lists above mentioned in order that the type and character of such persons could be shown should Mertig claim that they are individuals of no prominence or undesirables. Mr. Burling also stated that possibly some of these persons could be considered under the Alien Enemy Control Program.

Mr. Burling was requested to have a memorandum sent to the Bureau outlining what they desire in this connection, and that the request will receive appropriate consideration.

Respectfully,

J. C. Strickland

J. C. Strickland

65-20553-29

Done by AEC section

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DATE 2/4/81 BY SP4 GSK/BJH/RO

18 SEP 16 1943

65-20553-66
F B I
16 SEP 11 1943

FOR VICTORY BUY UNITED STATES DEFENSE BONDS AND STAMPS

WKH:IS
9/9/43

CC: S. Culbertson-1258
W. A. Johnson-1535

MEMORANDUM FOR MR. TOM C. CLARK
ASSISTANT ATTORNEY GENERAL

RE: KURT MERTIG

I should like to call your attention to my memorandum to Mr. L. M. C. Smith in the above-captioned matter, dated July 7, 1943, requesting specific advice as to any action which the Department might decide to take or to instruct the United States Attorney in New York City to take on the basis of the refusal of Kurt Mertig to comply with the Individual Exclusion Order issued against him by the military authorities in New York City. You will note a specific request in my memorandum of July 7, concerning the Department's opinion as to the possible prosecution of Kurt Mertig for a violation of the Foreign Agents Registration Act or of any other statute within the investigative jurisdiction of this Bureau.

A review of the Bureau files fails to indicate any reply to my memorandum of July 7, 1943, and it will be appreciated if you will review this matter and advise me as to your opinion at your earliest convenience.

Very truly yours,

John Edgar Hoover
Director

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DATE 5/4/80 BY SP-1 GSK/BJA/KW

RECORDED

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

COMMUNICATIONS SECTION
MAILED 8
SEP 10 1943 PM
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

65-20553-67

FEDERAL BUREAU OF INVESTIGATION
SEP 13 1943
U. S. DEPARTMENT OF JUSTICE

435
SEP 17 1943

New York, New York

HDQ:VAD
100-16314

~~CONFIDENTIAL~~
September 14, 1943

Director, FBI

RE: KURT MERTIG
SECURITY MATTER (G)

Dear Sir:

There are being transmitted herewith to the Bureau two copies of a report of confidential informant [redacted] dated September 2, 1943 regarding statements of subject to the effect that he anticipated that many Germans would return to their various social groups from which they had resigned because of fear of being expelled from their residential area.

Copies of this report of confidential informant [redacted] are being retained in the New York case file under the above caption with a view to assisting in the investigation of subject.

Very truly yours,

ENC. (2)
c.c. 62-6772

E. E. CONROY, SAC

DECLASSIFIED BY SP-2) GSK/BJA/RU
ON 2/4/81

~~DEFERRED RECORDING~~

APPROVED ... ACTIVITIES
ADVISE ...
SLIP(S) declass
DATE 4/14/81

RECORDED
65
INDEXED

65-20553-68
FEDERAL BUREAU OF INVESTIGATION
SEP 15 1943
U. S. DEPARTMENT OF JUSTICE

ORIGINAL COPY FILED IN 61-9772-640

b7D

ENCL 15

1 SEP 22 '43

No: 512

September 2, 1943 Page One

Kurt Mertig, 317 East 54th Street, N.Y.C. tells the writer that he attended the final sessions of the Federal case dealing with the expulsion of dangerous persons from vital military areas in the United States.

He says that he went to Philadelphia to advise the defense attorney on the Nazi set-up here and the individuals active in it. Mertig says that the defense attorney was at a loss to explain away allegations made by the prosecution concerning pro-Nazi activities in the United States.

He says that the favorable decision for the German woman defendant has given every German a new ray of hope and that he expects many Germans to return to their various social groups from which they quit because of fear of being expelled from their area.

Mertig told the writer that he applied for a defense job through the efforts of a Nazi friend but was refused the job.

Relative to the war, Mertig believes that it is just a matter of time when Germany will have to give up. He believes that Germany's military oil supplies are badly depleted.

ORIGINAL COPY FILED

ENCLOSURE

RECORDED 65-20553-68

FEDERAL BUREAU OF INVESTIGATION
SEP 15 1943
U.S. DEPARTMENT OF JUSTICE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY 8P4

b7D

RDD:MGM

Date:

September 8, 1943

To:

SAC, New York

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSL/RDJ

From: J. Edgar Hoover - Director, Federal Bureau of Investigation

Subject:

INDIVIDUALS LISTED BY KURT MERTIG
FOR REPATRIATION

Reference is made to the report of Special Agent Richard A. Johnson, dated November 2, 1942, at New York City, in the case entitled "Kurt Mertig, Internal Security - G".

The referenced report contained three lists of names which apparently referred to German aliens who were to be repatriated. Mr. Edward J. Ennis, Director, Alien Enemy Control Unit of the Department, has recently advised that these lists have been consolidated and checked against the records of his Unit. On those individuals on whom no investigation appears to have been conducted, he has requested that the Bureau conduct investigation to determine the nature of their activities and their sympathies and loyalties in the present conflict. This should include a thorough neighborhood and employment investigation. This information is desired in connection with a possible prosecution of Mertig, as well as a possible consideration of each individual for prosecution under the Alien Enemy Control Program.

You are, therefore, instructed to conduct the usual alien enemy control investigation of each of the subjects hereinafter named, and it is suggested that, if they are interviewed, each should be questioned regarding any action he may have taken to be repatriated, particularly with reference to any connection with Kurt Mertig. When the investigations are complete, they should be referred to the United States Attorney for his opinion regarding the apprehension of these subjects in the usual manner.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Hendon
Mr. McGuire
Mr. Mumford
Mr. Hardo
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

Sufficient copies of this letter are being furnished you herewith for each of your files. The names are as follows:

Mrs. Bertha Ardell
43 Eastern Boulevard
Bronx, New York

Hermann Karl Book
413 East 87th Street
New York, New York

Anni Meier
143 East 89th Street
New York City

Erich Otto Meyer
54 Locust Avenue
New Rochelle, New York

65-205 69
FEDERAL BUREAU OF INVESTIGATION
SEP 10 1943

COPIES DESTROYED
R 25 0 AUG 22

Henry Brockmann
302 East 92nd Street
New York City

Klara Brockmann
302 East 92nd Street
New York City

Carl Cruenkorn, Age 44
Mrs. Cruenkorn, Age 46
305 85th Street
Brooklyn, New York

Otto Dietrich, Age 44
1666 Second Avenue
New York, New York
(The same name on the State Department list gave the address as 1666 Second Avenue New York City)

Mrs. Otto Dietrich, Age 40
1666 Second Avenue
New York City

Leonhard Arnold and Wife
36-12 38th Street
Astoria, Long Island, New York

_____ Fritz and Wife, Age 38
646 East 146th Street
Bronx, New York

Hans Hesse, Age 65
165 East 124th Street
New York City

Kurt Hammemann
1066 Stebbins Avenue
Bronx, New York

Ernst Heimann
Ellis Island, New York

Ernst Hoecker
226 East 78th Street
New York City

Mrs. Marie Hoecker
226 East 78th Street
New York City

Kurt Milewsky
Mrs. Milewsky
Address unknown

Elsa Pugel
440 East 53rd Street
New York City

Maria Peters
2657 Heath Avenue
Bronx, New York

Richard Stockwicker
442 East 81st Street
New York City

Mrs. Richard Stockwicker
(Beril Alexy) or Irene
442 East 81st Street
New York City

Lisl Siegl
209 East 86th Street
New York City

Otto Umscheit (Umscheid)
3530 Park Avenue
New York City
and
Park Avenue and 168th Street
Bronx, New York

Anna Umscheit (Umscheid)
3530 Park Avenue
New York City
and
Park Avenue and 168th Street
Bronx, New York

Otto Vahldiek
65 East 126th Street
New York City

Margarete Vahldiek
65 East 126th Street
New York City

Guenther Vogel
Ellis Island, New York

Anne-Marie Moeschen
226 East 86th Street
New York City
and
4338 Marathon Place
Little Neck, Long Island

Paul Wallmann
316 East 82nd Street
New York City

Ella Wallmann
316 East 82nd Street
New York City

Harry Immer
317 East 89th Street
New York City

Lisbeth Immer
217 East 89th Street
New York City

It is noted that some of the names listed above have no address other than Ellis Island. It is possible that they were in the custody of the Immigration Authorities at the time Mertig prepared the lists. In these cases, you should make inquiry at Ellis Island to determine the addresses of the individuals. Of course, if they were ever in the custody of the Immigration Authorities, you should ascertain what information the Ellis Island files may contain, and, if there is sufficient background information to establish the nationalistic tendencies of the individual, you should report this to the Bureau and not conduct investigation unless authorized.

TOM C. CLARK
ASSISTANT ATTORNEY GENERAL

Department of Justice
Washington

ALL INFORMATION CONTAINED
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DATE 2/4/81 BY SP-1 GFX/BJA/PA

October 4, 1943

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Clavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Ames
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starks
Mr. Quinn Tamm
Mr. Neese
Miss Gandy
Files

MEMORANDUM FOR THE DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

Re: Kurt Mertig; Internal Security (G)
Registration Act

Your reports indicate that some action should be taken against this individual. If we cannot successfully prosecute under the Foreign Agents Registration Act, then surely another Act can be invoked.

I am having a careful survey of the file made with a view to prosecution. I will advise you as soon as this is completed.

In the meantime I would appreciate your sending me personally a complete copy of your file on this subject.

Tom C. Clark
TOM C. CLARK
Assistant Attorney General

On 10/6/43 J. M. McInerney of criminal division called F.L. Welch re this and requested that this memorandum be disregarded see memo ALA to DMC 10/6/43 consequently no acknowledgement is necessary 10/7/43 wkh

65-20553-70
F B I
35 OCT 5 1943

FOR VICTORY BUY UNITED STATES WAR BONDS AND STAMPS

OCT 7 1943

FEDERAL BUREAU OF INVESTIGATION

This case originated at: NEW YORK, NEW YORK — NY File No. 100-16314 MEM

Report made at:	Date when made:	Period for which made:	Report made by:
NEW YORK CITY	10/2/43	7/1,2;8/29/43	CLEMENT A. O'BRIEN

Title:	Character of Case:
KURT MERTIG	SECURITY MATTER - G DENATURALIZATION PROCEEDINGS-G REGISTRATION ACT SEDITION

Synopsis of Facts:

USA advised that for the present his office would not file a complaint for the denaturalization of the Subject. Subject refuses to leave the Eastern military district in defiance of exclusion order of the Army issued June 7, 1943. Subject was instructed in an order which was served upon him on June 17, 1943, to report to the Director of the Internal Security Division in New York City on June 21, 1943. Subject refused to comply with this order. Mr. JAMES H. SHARP, Special Assistant to the Attorney General, advised that a possible violation of the Registration Act might be developed. Subject reported, by Confidential Informant, to be still assisting Germans in New York City.

- P.-

REFERENCE: Bureau file #65-9879
Bureau letter dated July 24, 1943 to New York City.
Bureau letter dated July 6, 1943 to New York City.
Report of Special Agent Richard A. Johnson dated February 26, 1943

DETAILS: On April 30, 1943, Mr. John F. Sonnett, Assistant United States Attorney for the Southern District of New York, advised that for the present time no compalint would be filed toward the denaturalization of this Subject, inasmuch as there was then pending an action which would be taken by the United States Army on an exclusion order as a result of a hearing which was granted the Subject by the Individual Exclusion Hearing Board, Second Service Command.

Approved and forwarded: E. E. Conroy SAC

Do not write in these spaces

65-20553-71

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Copies of this report:

5 - Bureau
1 - ONI
1 - G-2
2 - USA, SDNY
2 - Buffalo
3 - New York

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30 OCT 6 1943

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65-20553 - 71
WKH:vj

October 14, 1943

RECORDED

SAC, New York

RE: KURT MERTIG
INTERNAL SECURITY - G
DENATURALIZATION PROCEEDINGS
REGISTRATION ACT
SEDITION

Dear Sir:

Reference is made to the pending report of Special Agent Clement A. O'Brien dated October 2, 1943 at New York City in the above captioned case. Specific reference is made to the penultimate paragraph on page two of reference report wherein it is stated that Assistant United States Attorney, John F. Sonnett, of the Southern District of New York advised that no action would be taken to prosecute Kurt Mertig under Public Law #503 as a result of his failure to comply with the Individual Exclusion Order issued against him, until a specific request for such prosecution is received from the Military authorities. It is desired that if you can discreetly do so you discuss this matter with the Military Intelligence Service for the purpose of ascertaining whether or not such a request is to be made in the near future, and if no such request is to be made, the reason therefor.

Your attention is directed to previous specific Bureau instructions that this case must receive expeditious, careful and extensive attention. In view of these instructions, it is my desire that the undeveloped leads contained in reference report be completed without delay and that an appropraite supplementary report herein be made available to the Bureau in the near future.

Very truly yours,

John Edgar Hoover
Director

COMMUNICATIONS SECTION
MAILED 5
OCT 18 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

CC: Buffalo

Tolson
E. A. Tamm
Glegg
Coffey
Glavin
Ladd
Nichols
Rosen
Tracy
Acers
Carson
Harbo
Hendon
Humford
Starke
Quinn Tamm
Pease
Candy

40 OCT 21 1943

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DATE 2/4/81 BY SP-1 SAB JAHRS

RECEIVED READING ROOM
OCT 16 6 12 PM '43

The Eastern Defense Command headquarters, Governors Island, New York, forwarded two copies of Individual Exclusion Order #E-96 (2-12) dated June 7, 1943. The order was issued for the exclusion of KURT MERTIG, 317 East 54 Street, New York City, from the entire Eastern Military area, and from certain military areas of the Western, Southern and Central Defense Commands. This order was served on June 17, 1943 and the Subject was ordered to report to the Director of Internal Security, Division 39, Whitehall Street, New York City, on June 21, 1943, for fingerprints, photograph, and questioning as to his future destination. The order also specified that the Subject must have vacated the Eastern Defense Command by June 28, 1943, and it also prohibited him from entering or remaining in the Eastern Defense Command after that date.

It was reported to the New York office of the Federal Bureau of Investigation, on June 29, 1943, by the Army authorities that the Subject had failed to report to them on June 21, 1943 as ordered, and that numerous letters had been written by MERTIG to various military officials indicating that he would not comply with the exclusion order inasmuch as the order was unconstitutional and he was a loyal citizen.

On July 1, 1943 Special Agent Cecil F. Parker and the writer observed KURT MERTIG on East 54th Street. His presence in New York City is a violation of the exclusion order, and under Public Law #503 is a criminal violation.

On July 3, 1943 Special Agent E. J. McCabe telephonically communicated with Assistant United States Attorney, John F. Sonnett, for the Southern District of New York, and requested his opinion as to prosecutive action against the Subject for his violation of the exclusion order. Mr. Sonnett advised that nothing would be done until the Military authorities requested the prosecution of MERTIG for violation of their exclusion order. The Army has not yet requested that prosecution be undertaken against KURT MERTIG for a violation of the exclusion order.

On July 26, 1943 Mr. James H. Sharp, Special Assistant to the Attorney General, contacted the New York office in order to discuss the present status of this case. Mr. Sharp was of the opinion that it may be possible to obtain prosecution against the Subject for violation of the Foreign Agents Registration Act of 1938. It was his opinion that the term "Foreign Principal" would include the Swiss Consulate with which MERTIG has had considerable dealings. He also felt that the term "Foreign Principals" would include a foreign political party and that MERTIG, by his negotiations for repatriation of Germans who were members of the Nazi Party, had violated the act.

There was a remote possibility, in Mr. Sharp's opinion, that a violation of the Sedition Act might be profferred inasmuch as MERTIG tried to have German aliens released from the United States Army. MERTIG wrote numerous letters on behalf of certain German aliens who were inducted into the United States Army seeking their release. In this connection Mr. Sharp further stated that MERTIG might have been merely acting in the capacity of a friend, and not with the intention of undermining the morale of the Armed Forces. Subsequently Mr. Sharp telephonically advised Special Agent Johnston L. Pierce that he had been in contact with the Swiss Consulate in New York City, and they informed him that the German Authorities at one time cabled the Swiss Legation at Washington, D.C., requesting that they instruct WILLY MITCHELL to prepare a list of Germans for repatriation. These instructions had been forwarded to MITCHELL through the Swiss Consulate at New York City. Mr. Sharp felt, however, that undoubtedly the cable from the German source to MITCHELL had not been through Commerical channels and, therefore, would not be available for evidence.

It was reported on January 29, 1943, by Confidential Informant T-1 who whose information is considered reliable, but is unavailable as a witness, that he had been to the home of KURT MERTIG and that the wife of PAUL A.W. SCHOLZ was there; that MERTIG was writing a letter for Mrs. SCHOLZ which she intended to mail to her husband in Atlanta. MERTIG told the informant that he had been to Washington, D.C. to see the Attorney General because he had been questioned by the Federal Bureau of Investigation, and that his premises had been searched. He also told the informant that he intended to testify at the trial of HELMUTH LEINER, if the defense attorney so desired. MERTIG stated that he was sorry that he did not go back to Germany and give up his citizenship, and that he had filed a petition in the Judiciary Committee, urging Congress to prohibit the Army from moving citizens out of various military areas.

Again on April 29, 1943 Confidential Informant reported that he had visited the Subject who was seeking assistance from Judge M. W. ROGERS of Tompkins Corner, New York, in his effort to prevent his exclusion. MERTIG informed that ROGERS was a close associate of his Citizens Protective League, and that he had collaborated with LOUIS ZAHNE and WILLY MITCHELL, who were in the past National Socialists; however, ROGERS informed MERTIG that he would have nothing to do with him as he did not wish to impair his patriotism.

On June 8, 1943 Confidential Informant T-1 reported that MERTIG still has a number of German aliens and naturalized Germans in his place of residence at 317 East 54 Street, New York City. He has an average of three or four persons an evening who come to him for advice regarding things relating to the war as it affects Germans here. He also informed that MERTIG faithfully listens to the short wave radio broadcasts from Berlin and also to

Nazi propaganda given in Portuguese and Spanish.

On June 14, 1943 Confidential Informant T-1 again reported that MERTIG stated that he will not grant interviews to Agents of the Federal Bureau of Investigation because he does not wish to give evidence to be used against other Germans. At that time MERTIG claimed he represents two German newspapers, the "Sonntag Post", and the "Herald Post", and that they are in difficult financial conditions. Confidential Informant T-1 observed three Germans visit MERTIG while he was there and discuss various problems regarding the internment of Aliens. Confidential Informant T-1 reported that MERTIG had solicited the assistance of the American Civil Liberties Union in his defense in the exclusion order issued by the United States Army. The American Civil Liberties Union, according to MERTIG, refused to defend him although they had previously agreed to undertake his defense. MERTIG then sought to obtain the services of Attorney JAMES WILKINSON, who is Consul for COLONEL E. N. SANCTUARY.

MERTIG told the Informant that he seeks to test the constitutionality of the exclusion act if he is seized. When the Informant was leaving MERTIG a German visitor came to the door and gave MERTIG the HITLER salute.

On August 6, 1943 the Informant reported that MERTIG was boasting that he had beat the Federal Bureau of Investigation, and it was the only case where a German had had his rights respected, and he was confident that he will never be removed from this military area. The Informant reported further that there are still Germans visiting MERTIG'S apartment where they are listening to short wave broadcasts from Berlin. At present MERTIG is reported to be seeking new Consul inasmuch as Attorney JAMES WILKINSON died while visiting the West Coast.

Special Agent John T. Hilsbos reported on March 10, 1943 that he had interviewed Mrs. ANNA ZIMMERMAN, and that upon search of her premises a letter dated April 30, 1943 from KURT MERTIG was found. The letter from MERTIG contained statements that he had brought complaints to the President, Attorney General, and the Federal Bureau of Investigation on the unduly prolonging detention at Ellis Island of Germans, and that he was the only one who had the courage to protest repeatedly against this injustice, and because of this "Life" magazine and the newspaper "PM" had started a smear campaign against him and the Citizens Protective League. The last paragraph of the letter contains an appeal for financial assistance. Mrs. ZIMMERMAN was investigated by the New York Field Division and she is employed by KARL EGGERS, 850 Park Avenue, New York City, who is also under investigation.

- P E N D I N G -

UNDEVELOPED LEADS

THE BUFFALO FIELD DIVISION

AT SILVER LAKE, NEW YORK

Will interview Mrs. JULIAN UNSCHEIT to whom the Subject admitted his connection with the Swiss Consulate, and obtain a signed statement as to the entire connection of UNSCHEIT with MERTIG, and his connection with the Nazi party in the United States.

THE NEW YORK FIELD DIVISION

AT NEW ROCHELLE, NEW YORK

Will interview Mrs. THERESA SCHUHWERK, 59 Oak Street, and obtain a signed statement as to her relations with the Subject, and his connection with the Swiss Consulate and the Nazi Party in the United States.

Will interview Mrs. HERBERT GROBB and Mrs. JOHN SCHREINER, Park Place, and obtain statements as to their relations with the Subject and his connection with the Swiss Consulate and the Nazi Party in the United States.

AT NEW YORK, NEW YORK

Will interview Mrs. MARIE KERRLING, ERNEST KERKHOF and Mrs. LOUISE KRAUSE at Ellis Island and obtain written statements of their connection with MERTIG and his dealings with the Swiss Consulate and the Nazi Party in the United States.

CONFIDENTIAL INFORMANT

Confidential Informant T-1 mentioned in the report of Special Agent Clement A. O'Brien dated October 2, 1943 at New York City is [redacted] whose identity is known to the Bureau. b7D

CC-1

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

WKH:MPR

To: COMMUNICATIONS SECTION.

October 11, 1943

Transmit the following message to:

RECORDED 65-20553-72

SAC, NEW YORK

KURT MERTIG, INTERNAL SECURITY (G), REGISTRATION ACT, DENATURALIZATION PROCEEDINGS. RE LAST PAGE REPORT SPECIAL AGENT RICHARD A. JOHNSON, NEW YORK CITY, NOVEMBER TWO FORTY TWO, CONCERNING OPA RATION BOOKS FOUND AT MERTIG'S PREMISES IN NAMES OF PATRICIA, BEATRICE AND IDA MERTIG. IMMEDIATELY ADVISE PRESENT LOCATION OR OTHER DISPOSITION OF THESE RATION BOOKS.

HOOVER

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1GSK/BJA/RLS

Mr. Tolson
Mr. E.A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Kramer
Mr. McGuire
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

COPIES DESTROYED
R250 AUG 22 1960

OCT 12 1943

32 OCT 16 1943

SENT VIA

12:10 PM Per 9

JOHN EDGAR HOOVER
DIRECTOR

CC-287

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

FLW:WMJ
Call: 6:10 P.M.

October 6, 1943

MEMORANDUM FOR MR. LADD

RE: KURT MERTIG
INTERNAL SECURITY - G

At the above time Mr. McInerney of the Criminal Division called, referring to the report submitted by Special Agent Richard A. Johnson at New York City on November 2, 1942. He particularly called attention to the last page of the report in which a statement was set forth to the effect that at the time of the search of subject's premises, three sugar ration books were found in the names of Patricia, Beatrice, and Ida Mertig. The report further stated that "it is believed this constitutes a violation of the regulations set forth by the Office of Price Administration."

Mr. McInerney was desirous of knowing whether or not the Agent took possession of the ration books at the time of the search because of the fact that OPA had informed him that it would be almost impossible to locate the applications for the ration books.

Mr. McInerney also mentioned that Mr. Tom Clark recently submitted a memorandum to the Bureau pointing out that he was desirous of instituting some action against subject, and in closing requested that he be furnished with the complete file on Mertig. Mr. McInerney stated that the Criminal Division is, of course, in possession of all of the investigative reports and that Mr. Clark's request should, therefore, be disregarded.

Clark's memo of 10/4 overlooked on other hearing with AG

Respectfully,

F. L. Welch

F. L. Welch

Retyped 10/11/43

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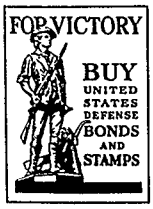

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 6SCB/RLS

McInerney with

WKH:vj
10-13-43
65-20553-71

CONFIDENTIAL
BY SPECIAL MESSENGER

RECORDED
Date:

To: Assistant Chief of Staff
G-2, War Department
Washington, D. C.

Attention: Colonel L. R. Forney

From: J. Edgar Hoover - Director, Federal Bureau of Investigation

Subject: KURT MERTIG

As of possible interest to you with regard to Kurt Mertig, who has refused to comply with the individual exclusion order issued against him in New York City, I am enclosing a copy of the report of Special Agent Clement A. O'Brien dated October 8, 1943 at New York City and entitled "Kurt Mertig".

Enclosure

CC: Director of Naval Intelligence
Navy Department
Washington, D. C.
(Enclosure)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 LSK/BJN/JLS

Tolson
E. A. Tamm
Clegg
Coffey
Glavin
Ladd
Nichols
Rosen
Tracy
Acers
Carson
Harbo
Hendon
Mumford
Starks
Quinn Tamm
Nease
Gandy

COMMUNICATIONS SECTION
RECEIVED
OCT 20 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

OCT 22 1943

WKH:IS
65-20553
10/11/43

CC: W. A. Johnson

ALL INFORMATION CONTAINED
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DATE 2/4/81 BY SP-1
GSK/BJA/RW

MEMORANDUM FOR MR. TOM C. CLARK
ASSISTANT ATTORNEY GENERAL

RE: KURT MERTIG
INTERNAL SECURITY - G
DENATURALIZATION PROCEEDINGS
REGISTRATION ACT
SEDITION

Reference is made to my previous memoranda to you in the above-captioned case, requesting an opinion as to the possible prosecution of Kurt Mertig for violation of any Federal statute within the investigative jurisdiction of this Bureau, and concerning also any contemplated action against Mertig in view of his refusal to comply with the Individual Exclusion Order issued against him by the military authorities. In connection with Mertig's refusal to comply with the Individual Exclusion Order, specific reference is made to your memorandum to this Bureau dated September 9, 1943, advising that the Criminal Division has this matter under consideration and that the Bureau would be advised of its decision at the earliest possible moment.

With further regard to the possible prosecution of Mertig, specific reference is made to my memorandum dated September 9, 1943, addressed to Mr. Lawrence M. C. Smith, then Chief of the Special War Policies Unit, concerning Mertig.

Your attention is also directed to the fact that on July 25, 1943 and subsequently on August 31, 1943, I transmitted memoranda to Mr. Lawrence M. C. Smith, requesting any information in the possession of or available to the Department and not already forwarded to the Bureau concerning Kurt Mertig, Bruno Loesener, the Hardt Press or William Schlittenhardt, in view of the fact that Mr. G. Jerome Simmons, Departmental attorney, advised Agents of the New York Field Division of this Bureau that transactions revealed by correspondence of the Hardt Press with the German Railroads Information Office constituted a violation of the Foreign Agents Registration Act of 1938 on the part of both Kurt Mertig and Bruno Loesener.

It will be appreciated if you will reply to the above referenced memoranda as soon as possible.

RECORDED

Very truly yours,

John Edgar Hoover
Director

Tolson
E. A. Tamm
Clegg
Coffey
Glavin
Ladd
Nichols
Rosen
Tracy
Acers
Carson
Harbo
Hendon
Mumford
Starke
Quinn Tamm
Nease
Gandy

COMMUNICATIONS SECTION
MAILED 15
OCT 12 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
OCT 13 1943
U. S. DEPARTMENT OF JUSTICE

65-20553-73

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

JRS

146-28-101

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

OCT 19 1943

Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

MEMORANDUM FOR MR. J. EDGAR HOOVER
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Re: Kurt Mertig

Reference is made to your memorandum of September 3rd addressed to Mr. L.M.C. Smith, Chief of the Special War Policies Unit. Your memorandum refers to my contact with agents of the New York Field Division during the month of August with respect to the above entitled matter.

The Attorney General, who was interested in the possible prosecution of the subject, had requested me through Mr. Edward A. Ennis, Chief of the Alien Enemy Control Unit, to determine the basis, if any, for prosecution of the subject under the Foreign Agents Registration Act. After examining the Bureau's investigative reports, it was deemed advisable to examine the photostatic copies of the subject's records which were in the files of the New York Field Division. At the same time, it appeared advisable to obtain from the officials of the Swiss Consulate in New York City, with whom we have been in frequent contact on other matters, a clear statement as to the nature of the relationship of the subject and Willie Mitchell to that office. At the request of Mr. Ennis and upon the authority of Mr. Hugh B. Cox, Assistant Attorney General, War Division, I examined the photostatic copies of the subject's records in the files of the New York Field Division and conferred with Mr. Harold Walker in charge of the German Interests Department of the Swiss Consulate in New York City.

Subsequent to my return I reported the facts ascertained and my conclusions to Mr. C. T. Lane, then Acting Chief of the Special War Policies Unit. The matter was thereupon presented by Mr. Lane, Mr. Ennis and myself to Mr. Wendell Berge, Assistant Attorney General, Criminal Division, and since that time the responsibility for directing the Bureau's investigation in this matter has rested with the Criminal Division. There is attached hereto a copy of my memorandum to Mr. Lane which is sent to you because it contains a summary of the facts ascertained by me in the Consulate General's office in New York.

ENCL

FOR DEFENSE
BUY UNITED STATES SAVINGS BONDS AND STAMPS

RECORDED & INDEXED
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It should be understood, however, that the determination now rests entirely with the Criminal Division of the Department as to whether prosecution would be instituted on any of the theories proposed in my memorandum of August 7th, 1943, to Mr. Lane.

James R. Sharp, Chief
Foreign Agents Registration Section
War Division

Attachment

JRS

146-28-101

August 7, 1943

MEMORANDUM FOR MR. CHESTER T. LANE

Re: Kurt Mertig

I have examined the Bureau reports in the above matter for the purpose of determining the possibilities of a Foreign Agents case. In addition, I have talked with Agent Pearcy of the New York Office and obtained some additional information concerning the identity of the informants referred to in the reports. I also looked over the photostatic copies held in the New York Office of the correspondence turned over by Mertig last fall and I talked with Harold M. Walker of the Swiss Consulate General's Office in New York concerning the nature of the arrangement, if any, between the Consulate General's Office and Mitchell and Mertig.

As a result, I am satisfied that there is sufficient basis for requesting authorization for a grand jury inquiry here in the District of Columbia looking toward an indictment of Mertig for violation of the McCormack Act for activities engaged in by him prior to June 28, 1942, and for violation of the Foreign Agents Registration Act of 1938, as amended, by reason of activities engaged in by Mertig after June 28, 1942.

The situation may be summarized as follows: In 1942 while we were at war but were repatriating German nationals in exchange for American Citizens, Mertig and his former associate, Willy Mitchell, were acting for the German Government in trying to obtain the repatriation of as many members of the Nazi Party as possible. Mitchell was actually accredited by the German Government to the Swiss Government and used Mertig rather as an assistant in the work. When Mitchell himself left on the Drottningholm on June 3, 1942 with the German Diplomatic Mission, Mertig carried on apparently expecting his reward from the German Government after the war. In sum, these are the unquestionable facts. Unfortunately, however, the best evidence is almost entirely unavailable due to the fact that the records and testimony necessary from the Swiss officials is protected by diplomatic immunity which I am sure would not be waived in this case. In addition, the above statement of the facts is based, in part, upon certain incriminating admissions which thus far have been made by Mertig only to an informant whom the Bureau will not release to testify. The statements were made to the informant in a plant arranged by the Bureau through its informant.

ENCLOSURE

65-20553-74

In spite of this, I think it possible to make a case on evidence that is available on one of the three theories outlined subsequently. At the same time, I believe it can be made best in a grand jury inquiry rather than a pure FBI investigation. I have made both types of investigations myself and am convinced that the witnesses from whom the most essential testimony must be obtained are most likely to tell the truth in a grand jury inquiry where they are subject to prosecution for perjury. Most of them are interned German aliens and some of them acknowledged Party members. However, I believe that an FBI squad working with the prosecutor presenting the matter to the grand jury could do a lot of good and that there are a few things the FBI should be started on immediately. In talking to agents in the New York Office of the FBI, I find they never tried to build up an agency case on any particular theory and they agree with me that much might be done, and that there are good possibilities in the case.

The nature of the matter is such that I believe the grand jury investigation deserves a try, and I think there is no reason why an agency case might not be brought on the first theory stated, although based upon a new and heretofore untested provision of the amended Act.

I have outlined below in more detail what I believe to be the facts of the case, and following that, the three theories of prosecution on which the grand jury inquiry might proceed, with indications in each case of the evidence available and the sources of possible additional evidence which might be developed in the inquiry.

In the spring of 1942 while the German officials were being held at White Sulphur Springs, it was found that the exchange ship on which they were to be returned to Germany could accommodate a number of German nationals in addition to the diplomatic corps. About this time Mitchell commenced bringing German nationals to the Consulate General's Office in New York urging that they be placed on the list for repatriation. (He talked with Harold M. Walker, who is in charge of the German and Italian Interests Department of the Consulate General's Office.) This was sometime in April 1942 apparently. Mr. Walker had no idea who Mitchell was and refused to deal with him. However, shortly thereafter, he was informed by the Embassy in Washington that they had received a communication from the German Government requesting that they inform Mitchell that he was to prepare a list of 220 names of German nationals which were to be submitted to the State Department for approval for repatriation. Mr. Walker at that time did not know that the list was apparently to include only members of the Nazi Party. He ascertained this later from statements made to him by persons who corresponded with or talked to him and who insisted

that they could not see why they had not been repatriated or been placed on the list, because they were members of the Party, and that the list was to include only members of the Party. I am convinced Mitchell must have been in contact with the German Diplomatic Mission or some German Agent from whom he received his more precise directions.

On receipt of word from the Embassy, Walker contacted Mitchell and advised him that he was to prepare the list and was to submit it to the Consulate General, and at the same time was to submit with the list (or separately) letters from the individuals desiring repatriation, acknowleding their desire to return to Germany. The Drottningholm was apparently to leave within a short time thereafter and the whole thing had to be done in a hurry. Mitchell informed Walker that he expected to and was using Mertig as a secretary to write most of the letters and to get in touch with most of the individuals on the list. Walker is pretty certain that Mertig and Mitchell were living or officing together at the time. The list was submitted, but many of the addresses of individuals were missing and letters were not received from all parties on the list prior to the time the boat was ready to sail, acknowledging the desire for repatriation. Mitchell placed his own name on the list and he, together with a number of others, was approved by the State Department. The State Department advised the Consulate by letter of May 25 that they had notified Mitchell by telegram that he was to return on the exchange ship. Mitchell did leave on the Drottningholm on June 3, with the German Diplomatic Corps.

In the meantime, Walker had been warned by Karl Marx of the German-American Relief Conference that Mitchell had brought various German nationals to the Conference to obtain relief monies then being dispensed by the Conference for the Consulate. Marx advised Walker that he was convinced Mitchell was extracting compensation in one form or other from these nationals, (they were always women), in case they did receive assistance from the Conference. A letter was written by Marx on either May or June 3, 1943 relative to this matter. (I did not read the letter and do not know whether it also mentions Mertig).

Just after Mitchell had received notice that he was to be repatriated, he brought Mertig to the office and talked with Walker. He advised Walker that Mertig was to take the list of persons which he had prepared and to continue with the verification of the addresses and to solicit letters from them acknowledging their desire for repatriation. Walker did not at that time or any other time offer Mertig compensation or agree to pay his expensesor furnish him with stationery. He tried to make it clear that the Swiss Consulate was interested in the names of persons desiring repatriation, but that although they were not authorizing

Mertig to act on their behalf in any respect, they would be glad to receive the names of persons desiring repatriation, together with their letters acknowledging this fact. Walker never corresponded with Mertig. He found in the file one letter from Mertig which was dated June 5, 1942. I did not read this letter and a carbon copy of it is not among the papers picked up by the FBI. Walker informed me that Mertig says in this letter that he had made a copy of and is returning the list prepared by Mitchell, that he will notify 110 of the persons thereon of the fact that further repatriations were expected, and that they should address letters to the Swiss Consulate if they desired repatriation.

The names of four or five persons are specifically mentioned in the letter, but I could not ascertain the exact respect in which they were referred to. One of them was a man named Taenzler from whom Mertig admitted receiving $100. Subsequently Walker heard from officials at Ellis Island that Mertig was claiming to represent the Swiss Consulate. Walker was also advised by a number of German nationals who called to talk with him about repatriations that they had been advised by Mertig that he represented the Consulate. Walker called Mertig in and advised him to cease any such representations, and when Mertig took a recalcitrant attitude generally, Walker sent him to Dr. Blau, Vice Consul. Blau apparently was quite upset by Mertig having represented himself as an agent of the Consulate General and told him that they wanted nothing further to do with him. According to Walker, Blau threatened to "throw him (Mertig) down the elevator shaft." The whole dispute between Walker, Blau and Mertig was over the fact that Mertig had been representing himself as an authorized agent of the Consulate General. Walker noticed that most of the letters received by him from applicants for repatriation were apparently in the same style and on the same typewriter, and that they followed the same general line. He was satisfied, he said, that all these letters had been written by Mertig.

Walker made it plain that neither he nor the Consulate General nor the Embassy had anything to do with who was repatriated, that their only function was to submit to the State Department, through the Embassy, the names of persons desiring repatriation. He also made it plain that they made no investigation of the cases and that they relied entirely on the State Department to determine the propriety of repatriation in each particular case.

The argument at the Consulate General's Office between Messrs. Walker, Blau and Mertig occurred sometime in August, 1942 and Walker never saw Mertig thereafter.

Although I am sure it would be quite impossible for Walker to testify or for the Embassy to produce the communication it received relative to Mitchell's authorization by the German Government, it is possible that we may obtain their cooperation at least to the extent of obtaining copies from them of the letter from Mertig. I am also quite certain I can obtain from Walker more precise dates of the occurrences related. Subsequent to our formal conference, we had lunch and in the course of exchanging reminiscences found we had some mutual friends. I feel sure I could obtain further informal cooperation from him unless his superiors prevent it. In the file was also a letter dated May 5 from Mitchell to the Consulate relative to the preparation of the list. I did not read this letter, but Mr. Walker advised that it had no reference in it to the original authorization of Mitchell for the preparation of the list. At the time I did not request that I be permitted to read these letters.

In substance then, it seems that Mitchell and Mertig were engaged on behalf of the German Government in submitting to the State Department the names of Nazi Party members in an attempt to obtain approval of their repatriation. This is an activity of sufficient importance that, it seems to me, every effort should be made to prosecute Mertig under the FARA. Part of his activities occurred prior to June 28, 1942 and, therefore, would be subject to the McCormack Act. Part of them occurred after that and would be subject to the amended Act. In either case, venue would seem to lie in the District of Columbia. Section 2 of the amended Act provides that no person shall act as an agent of a foreign principal unless he has filed a registration statement. Venue under that provision would, of course, lie only where he acted. Mertig did act in part in the District of Columbia in that he made several trips here and talked with Mr. Bruppacher in charge of the German Interests Department of the Swiss Embassy. His dealings with the Embassy were in attempts to obtain preferential treatment of certain repatriation cases, at least one of which involves an acknowledged Nazi Party member. Section 2 also provides, however, that, with the exception of persons exempt by Section 3, "Every person who is an agent of a foreign principal . . . shall" within a specified time "file with the Attorney General in duplicate a registration statement under oath." Section 8 provides a penalty for the willful violation of any provision of the Act or any regulation. It would seem that venue then would also lie in the District of Columbia in that Mertig failed to file the registration statement there as required by the statute and regulations.

Three theories of prosecution and the general nature of the evidence which might be developed, follows:

1. Hertig acted as "agent" and "representative" (Section 1 (c)(1))and at the "request or under the direction of a foreign principal" (Section 1 (c)(2)) in performing services for German nationals in the United States who were members of the Nazi Party who seem to me to be unquestionably foreign principals (Section 1 (b)(2)). In Section 1(b)(2) there is included within the definition of foreign principal "an individual affiliated or associated with" a foreign political party. Hertig did assist individuals who were acknowledged members of the Nazi Party and thereby "associated or affiliated" with it, in their attempts to be repatriated. His activities consisted of placing their names on the list given to the Swiss Consulate, of writing letters for them to various government agencies, and of presumably pleading on their behalf with the Swiss officials. These activities, it seems to me, are political activities which would not be exempt under Section 3(d). I believe a number of cases of this type can be quickly developed in a grand jury proceeding. The FBI hasnever investigated the case on this theory but the facts reflected in the FBI reports indicate at least the following cases which might be brought under this theory:

(a) Foreign principal - Carl Henrick van Ophemert. In the report of Agent Johnson dated December 19, 1942 at New York under the title "Carl Henrick van Ophemert," it appears the Bureau has possession of a photostatic copy of a letter written June 23, 1942 by van Ophemert to Hertig asking for a chance to talk with him about a matter. It also appears the Bureau has a photostatic copy of a letter dated July 9 to the Legation of Switzerland by van Ophemert. van Ophemert has admitted Hertig wrote this letter for him. In the letter van Ophemert advises that he is "P G" (this is a common expression in Germany standing for the German words "Partei Genosse" which means Party member). van Ophemert states further that if the Legation would cable the German Foreign Office he was certain they would reply that he and his wife were to be put at the head of the list of repatriants. van Ophemert admitted to agents of the Bureau that in May, 1941 he had arranged his repatriation through the German Consulate. He arrived in the United States in 1930 and is a German citizen. He went to Germany in 1936 at which time he became a member of the Nazi Party. He stated he had not paid dues to the Party through the German Consulate in New York because his children in Germany took care of his dues. van Ophemert admitted attending open meetings of the Party in New York City. He also admitted membership in the DAB and admitted having transferred to the RDV when all aliens were required to disassociate themselves with the DAB. He advised he was referred to Hertig by one Karl Riche (listed as number 249 on the list number 1 appearing in the report of Agent Johnson of November 2, 1942 under the title "Kurt Hertig"). He advised the agents that Hertig admitted he was connected with the Swiss Consulate and had told him he would write a letter for him in

order to try to effect his repatriation. van Ophemert, however, denied he mailed the letter to the Swiss Legation. The reports contain no further information with respect to what, if anything, in addition Mertig did for van Ophemert. van Ophemert was subsequently arrested and interned at Ellis Island where, so far as it now appears, he still resides. I have not examined the reports of the Alien Enemy hearing for further admissions he may have made.

(b) Foreign principal - Hans H. Kiefer. Kiefer, whose name appears at page 12 of the report of Agent Johnson dated November 2, 1942 at New York, and whose address is shown as Camp Meade, apparently had Mertig perform certain services for him. At page 54 of this report, there is set forth a letter obtained by the Bureau from Mertig which was addressed by Kiefer to Mertig on June 11, 1942. In this letter Kiefer states "I have learned that members of the NSDAP are to be grouped in special lists for repatriation as far as possible. Although my wife, Mrs. Emilie Kiefer who is also detained here, and I have already submitted separate petitions with the State Department for repatriation, I would like to find out whether my name also appears on the above special list since I have been a member for many years and was known as such to the former German Consulate in NYC and to the former German Embassy." Apparently Mertig talked to Kiefer who was then held at Ellis Island, for by reference to page 51 of the report last referred to, it appears that on June 20 Kiefer wrote Mertig thanking him for a letter of June 19 (a copy of which was not found in Mertig's files). Kiefer says to Mertig that in accordance with Mertig's suggestion, he and his wife have written separate letters to the Swiss Legation and enclosed copies for Mertig. It may be that Mertig himself wrote the letters and merely sent them to Kiefer to be signed.

See letter next AN

Apparently Mertig wrote Kiefer again on June 23 and mailed the letter from Washington, for Kiefer wrote Mertig on June 29 thanking him for his letter of June 23 "from Washington" and thanked Mertig for the efforts he was making on behalf of Mr. and Mrs. Kiefer. In this letter he requests Mertig to continue his efforts to effect repatriation. Mertig apparently wrote another letter to Kiefer as of June 30. The Bureau did not find copies of this letter or the one of June 23 among Mertig's records. Mrs. Kiefer wrote Mertig a letter on July 3, 1942 which appears at page 51 of Johnson's report of November 2, 1942, advising him that her husband had received Mertig's letter of June 30, and requesting again that he continue his efforts on their behalf. She said, among other things, "You probably heard from Mr. Bruppacher that a cable arrived from the other side a few days ago regarding our repatriation." So far as I can determine, neither Mr. nor Mrs. Kiefer have ever been interviewed

by the FBI in connection with the Mertig matter. Mertig engaged in activities on Mr. Kiefer's behalf in the District of Columbia and the proof of the offense lies not only in the letters referred to, but in such testimony as may be obtained from Kiefer and his wife and such admissions as may be obtained from Mertig.

(c) There are other German nationals not yet interviewed who it appears may have or will admit membership in the Nazi Party and who would also testify that Mertig performed certain acts at their request. On page 49 of the report, there appears a letter apparently written by Mertig for one Franz Drost on June 26, 1942 to the Swiss Legation in which Drost says "My name figures as 186 on the preferential list handed in by Mr. Mitchell, and I am among those whose names had been handed into you by the former German Embassy." This would seem to indicate that Drost was a member of the Party.

(d) There are numerous other persons on whose behalf Mertig wrote letters, some number of whom are now interned, and it may well be that there is proof available of their membership in the Nazi Party. A search might be made of the Alien Enemy dossiers on these individuals.

2. The second theory under which the investigation and indictment might proceed is that Mertig acted on behalf of the German Government or on behalf of Mitchell (subsequent to his departure) in attempting to effect the repatriation of German nationals, many of whom were members of the Nazi Party. The principal proof of Mertig's agency for Mitchell lies in what was said between Mitchell and Mertig. There is no witness to any of this conversation so far as I know except such conversation as occurred in the presence of Harold H. Walker of the Swedish Consulate, and he, of course, would not desire to testify in the matter. Mertig's admissions as to what was said have been somewhat inconsistent and uncertain. He was never questioned, however, about assistance he gave to Mitchell prior to the latter's departure as indicated by Walker's statements to me. It is quite possible that further admissions might be obtained from Mertig himself, and that on careful questioning of all the persons with whom he and Mitchell had contact who are now available, evidence may be developed of statements made by him concerning his relationship with Mitchell and Mitchell's relationship with the German Government. There is a little correspondence which would be slightly helpful in this respect, some of which is in the hands of the Swiss Consulate and copies of which might be informally obtained.

3. A third possible theory of indictment would be on the basis that Mertig held himself out to be an agent or representative of the Swiss Consulate within Section 1(c)(1) and assumed and purported to represent the Swiss Consulate within Section 1(c)(3) and failed to register as such. In truth and in fact he was not authorized by the Consulate to perform any activities on its behalf. The truth seems to be that the Consulate only agreed that Mertig would continue to furnish it with the names of persons for repatriation in accordance with the request of Mitchell that Mertig perform thisfunction.

Section 1(c)(3) relating to persons who "assume or purport" to act as agents must by its very terms apply to the unauthorized volunteer type of agent. An indictment under this provision would not normally allege that he was in truth and in fact not such an agent but without such an allegation or a press release in explanation of the indictment the Swiss might be embarrassed and subject to attack.

There is proof, however, of the fact that Mertig held himself out to be acting for the Swiss and a number of leads to additional evidence.

(a) According to a statement to FBI agents by Miss Paula Zimmerman (now held at Ellis Island) (page 2 report of Agent R. A. Johnson dated February 26, 1943 at New York) Mertig wrote her a letter advising her that Mitchell had returned to Germany and that he had been requested "by the Swiss Consulate" to keep in touch with her and that he was presently engaged in helping people who wished to be repatriated. The alleged letter was not found in Mertig's files but may have been found in Zimmerman's possession when she was taken in custody under the Presidential Warrant.

(b) In August or September, 1942 Mertig told Charles F. Unger (who desired repatriation) that "he was a representative of the Swiss Consulate, that he had been to Washington to help other Germans who wished repatriation." Subsequently, Mertig typed a letter for Unger to the Swiss Consulate which Unger claims he did not mail. (Page 3, report of Agent Johnson last cited).

(c) To seven other persons (named at page 4 of report of Agent Johnson) Mertig "admitted his connection with the Swiss Consulate in varying degrees." Agent Johnson interviewed the seven persons but is now in the Navy and unavailable. The New York Office of the Bureau could shed no light on what the precise testimony of these seven might be.

(d) Numerous other persons with whom Mertig had dealings have not been interviewed and he may have represented to a number of them an alleged representation of the Swiss. As pointed out

earlier in this memorandum, Mr. Walker of the Swiss Embassy said a number of such persons had come to him and told him Mertig was representing himself as acting for the Swiss Consulate.

(e) Walker stated he received information from the officials at Ellis Island that Mertig was out there claiming to represent the Consulate. Testimony of personnel there may be obtained in this connection.

There is a rare possibility of developing an even stronger case than any of the three. The FBI arranged that one of its very confidential New York German Informants talk with Albert Kiesler (connected with the Kyffhaeuser Bund). Kiesler told the informant that Mertig was appointed NSDAP head in the United States by Mitchell and put in charge of Germans who wished to be repatriated, that Mertig "is merely a front for a NSDAP Party member who is actually running Mertig's affairs and paying him for his work and supplying him with expense money." Kiesler might or might not testify truthfully in any Grand Jury proceeding.

It is of special interest to note that subject stated to the Exclusion hearing Board that Mitchell was called to "the German Consulate - no the Swiss Consulate" and was told that "the Swiss Consulate received information from 'the German Embassy which was in Exile,' to return to Germany, first, 100 members of the Nazi Party." Mertig admitted in the Army Exclusion hearing that Mitchell was a "party member." (See p. 17-18 report of Agent Johnson).

Incidentally, Mertig's wife and daughter are and have been in Italy for several years but when he produced his files for the FBI, they found he fraudulently obtained sugar ration books for his wife and daughter.

Finally, there is a possibility of developing the sedition case in a grand jury. The facts now available are not sufficiently clear to indicate whether Mertig actually aided, councilled or influenced any of the four men involved in their resistance to serving in the armed forces. None of the four have ever been interviewed. In any case they would be reluctant except possibly in a Grand Jury to testify as to what conversation they had with Mertig.

I am sure that Mr. Ennis wants to dispose of this matter as rapidly as possible and the question of the type of memorandum to write to the FBI depends upon whether we go to a Grand Jury immediately. I will, therefore, await a decision on this before I prepare any memoranda to the Bureau.

Respectfully,

James R. Ebaro

WKH:IS

RECORDED

65-205553-76

October 19, 1943

SAC, New York

RE: KURT MERTIG
INTERNAL SECURITY - G
DENATURALIZATION PROCEEDINGS
REGISTRATION ACT
REFER FIVE-IS

Dear Sir:

Reference is made to my recent teletype to you concerning the three Office of Price Administration ration books numbers 438947-949, in the names of Patricia Mertig, Beatrice Mertig and Ida Mertig, which were located during the search of Kurt Mertig's premises and specifically referred to on page 66 of the report of Special Agent Richard A. Johnson, dated November 2, 1942 at New York City.

For your further information and assistance in connection with this matter, I am enclosing a copy of the memorandum dated October 7, 1943, received by the Bureau from the Criminal Division of the Department of Justice.

It is desired that the information requested in my reference teletype to you be made available as soon as possible.

Very truly yours,

John Edgar Hoover
Director

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Ackers
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

Enclosure

COMMUNICATIONS SECTION
MAILED 2
OCT 19 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/BOA/RLS

43

OCT 27 1943

13

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

TCC:JJM:gmf

146-28-101

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coyne
Mr. Pennington
Mr. Mohr
Tele. Room
Mr. Nease
Miss Gandy

DATE: October 7, 1943

TO: Director Federal Bureau of Investigation

FROM: ~~Wendell Berge~~ Tom C. Clark, Assistant Attorney General, Criminal Division.

SUBJECT: Re: Kurt Mertig
Internal Security - G
Registration Act

Reference is made to the report of Special Agent Richard A. Johnson, dated November 2, 1942 at New York, New York.

On page 66 of said report the following statement is set out:

> "Also found at the time of the search were three sugar ration books numbers 438947 - 949 in the names of PATRICIA MERTIG, BEATRICE MERTIG, and IDA MERTIG. MERTIG explained the possession of these books by saying that his wife and two daughters were presently in Italy and that he was hoping to have them exchanged and had gotten these books in the event that he was successful. It is believed that this constitutes a violation of the regulations set forth by the Office of Price Administration."

DEFERRED RECORDING

Subsequent reports received to date in connection with the investigation of this subject do not appear to contain any further information in connection with this alleged violation.

In view of the fact that it is not clear from the above quotation whether or not the ration books referred to were retained by the Bureau, it is requested that all information available with respect to the same be forwarded to the Criminal Division as soon as possible. In the event the Bureau has possession of these books it is particularly desired that the names and addresses appearing thereon and also whether

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or not any coupons have been removed therefrom be set out.

This matter is being referred to the United States Attorney for the Southern District of New York for his immediate attention. Therefore, it is requested that any information obtained in connection therewith be forwarded to his office and that the Bureau cooperate as far as possible with him in completing this investigation.

WKH:vj
10-14-43
65-20553

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL
TOM CLARK

70128

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1
65K/BOM/625

ATTENTION: MR. JAMES M. McINTYRE

RE: KURT MERTIG
INTERNAL SECURITY - G
DENATURALIZATION PROCEEDINGS
REGISTRATION ACT
SEDITION

Further reference is made to my numerous previous communications to you concerning the above captioned individual who, as you will recall, has refused to comply with an Individual Exclusion Order issued against him by the Military authorities in New York City. For your further consideration and assistance in connection with this matter, I am enclosing a copy of the report of Special Agent Clement A. O'Brien dated October 2, 1943, at New York City in the above captioned case.

Your specific attention is directed to the information contained in the enclosed report to the effect that Mr. James M. Sharp of the Department of Justice advised the New York Office that in his opinion it may be possible to prosecute Kurt Mertig for a violation of the Foreign Agents Registration Act of 1938 in view of his repatriation activities and his connection with the Swiss Consulate. It is noted also that Sharp stated that a possibility exists, in his opinion, of prosecuting Mertig for a violation of the Sedition Statutes in view of his efforts to influence the release of German nationals from the United States Armed Forces.

In connection with the opinions expressed by Sharp, attention is directed to the fact that if Mertig, in connection with his activities regarding repatriation of German nationals, has violated the Foreign Agents Registration Act of 1938, he has in all probability also violated the Notification Section of the Espionage Act of 1917, in view of his probable representation through Willy Mitchell of the NSDAP (National Socialist German Workers Party or Nazi Party).

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As previously requested, it will be appreciated if you will furnish me with your opinion concerning the possibility of prosecuting Kurt Mertig for a violation of any of the statutes above mentioned or any other Federal statutes. In this connection, any comments which you care to make concerning the theories of prosecution expressed by Sharp will be appreciated.

Very truly yours,

John Edgar Hoover
Director

Enclosure

Tolson
E. A. Tamm
Clegg
Coffey
Glavin
Ladd
Nichols
Rosen
Tracy
Acers
Carson
Harbo
Hendon
Mumford
Starke
Quinn Tamm
Nease
Gandy

MAILED
OCT 18 1943 P.M.
FBI

OCT 22 1943

RECEIVED
OCT 19 1943

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

TCC:JJM:BC

146-28-101

DEPARTMENT OF JUSTICE
WASHINGTON 25, D. C.

October 19, 1943

Mr. Tolson
Mr. E. A. Tamm
Mr. Coggy
Mr. Colley
Mr. Clavin
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. Tracy
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. Nease
Miss Gandy
Harney

MEMORANDUM FOR THE DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

Re: Kurt Mertig
Internal Security - G
Denaturalization Proceedings
Registration Act
Sedition

Reference is made to your memorandum of October 12, 1943, concerning the above subject.

You are advised that no decision has as yet been reached with regard to the prosecution of this subject for his refusal to comply with the Individual Exclusion Order. When a decision has been reached in this matter, the Bureau will be informed.

Mr. James R. Sharp of the Foreign Agents Registration Section, War Division, has stated that he will reply to your request that you be furnished any information in the possession of, or available to, the Department and not already forwarded to the Bureau, concerning Kurt Mertig et al.

In regard to your inquiry concerning the possible prosecution of Mertig for the violation of any Federal statutes within the investigative jurisdiction of the Bureau, you are referred to memorandum of October 4, 1943, and other memoranda subsequent thereto.

Respectfully,

Tom C. Clark
TOM C. CLARK,
Assistant Attorney General.

RECORDED

38 OCT 1943

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

TCC:JJM:mc

146-28-101

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

Mr. T...
Mr. E. A. Tamm
Mr. Clegg
Mr. Coney
Mr. Glavin
Mr. Lad...
Mr. ...
Mr. R...
Mr. T...
Mr. ...
Mr. C...
Mr. ...
Mr. ...
Mr. Starke
Mr. Quinn Tamm
Mr. Neale
Miss Gandy
Files

DATE: October 25, 1943

TO: Director, Feberal Bureau of Investigation

FROM: Tom C. Clark, Assistant Attorney General, Criminal Division.

SUBJECT: KURT MERTIG
INTERNAL SECURITY - G
DENATURALIZATION PROCEEDINGS
REGISTRATION ACT
SEDITION

Reference is made to your memorandum of October 18, 1943.

In reply you are referred to our memorandum of October 19, 1943, and other memoranda prior thereto.

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165-205-78
32 OCT 26 1943

Op. 8 OCT 30 '43

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

JRS

146-28-101

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

Zone 25

OCT 25 1943

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Lad
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Hoover
Mr. Mohr
Mr. Nease
Mr. Winterrowd
Mr. Tracy
Mr. Gurnea
Mr. Tamm
Mr. Nease
Miss Gandy
File

MEMORANDUM FOR MR. J. EDGAR HOOVER
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Re: Kurt Mertig

Reference is made to your memorandum of August 31, 1943, addressed to Mr. Lawrence M. C. Smith, Chief of the Special War Policies Unit, in the above entitled matter in which you refer to certain comments theretofore made by Mr. W. P. Davison and Mr. C. Jerome Simmons, concerning the possible prosecution of the subject and Bruno Loesener, for violation of the Foreign Agents Registration Act. You have requested that you be furnished as soon as possible with all information in the possession of the Department concerning Mertig and Loesener's connection with the Hardt Press or William Schlittenhardt.

It appears that there is no information on this subject available in the Department with the exception of the following:

(1) A memorandum of Mr. W. P. Davidson of the staff of the former Special War Policies Unit dated October 8, 1942, a copy of which has previously been furnished to the Bureau and which is set out at pages 7 to 12, inclusive, in the report of Special Agent Richard A. Johnson at New York City, dated February 26, 1943.

(2) The grand jury minutes in the case of United States v. Transocean News Service, et al., which I assume you likewise have copies of.

(3) Copies of Die neue Woche furnished to the Department by you in connection with your investigation of William Schlittenhardt. The copies of this publication which we have available are those of April 9, 1939, to and including the issue dated July 23, 1941. There appears to have been one earlier issue dated April 2, 1939, which we do not have.

(4) Various reports by special agents of the Bureau in connection with the investigation of William Schlittenhardt and in connection with the investigation of Manfred Zapp and the Transocean News Service, Inc.

Ack 11/20/43
Letter to origc 11/20/43

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FOR VICTORY BUY UNITED STATES DEFENSE BONDS AND STAMPS

Op. 6

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(5) A memorandum of our analyst, Michael Weyl, dated October 1, 1942, re Die neue Woche and Kurt Mertig which summarizes the evidence available in the various sources mentioned above with respect to subject Mertig and the above mentioned publication.

Thus it appears that the only memorandum which you have not already received is that of the analyst, Michael Weyl, a copy of which is enclosed herewith for your information. The only information in Mr. Weyl's memorandum which is not already available to you is information which he appears to have obtained from his analysis of the publication Die neue Woche.

It has been assumed by some that the publication Die neue Woche was not a propaganda organ. I believe that Mr. Weyl's analysis of the publication demonstrates that it did contain considerable German propaganda.

Although it does not pertain to Mertig's connection with the Hardt Press, I am transmitting a copy of a memorandum dated August 18, 1943, by our analyst W. P. Davison. This memorandum refers to a letter by Mertig written to Emil Leicht on September 5, 1942.

James R. Sharp

James R. Sharp, Chief
Foreign Agents Registration Section
War Division

Attachments

cah

CTL-J...:...

146-2-16
146-28-101

Zone 25

October 1, 1943

MEMORANDUM

Re: Die neue Woche.
Kurt Bertig

Sources identified by number only:

#1: Report by Special Agent H. L. O'Neill, New York, 6/10/41, re: William Schlittenhardt. (146-2-16)

#2: Grand Jury Minutes, U.S.A. v Transocean News Service, et al, January/February, 1941. (146-2-1)

#3: Report by Special Agent R. L. Peterson, New York, 3/21/41, re: William Schlittenhardt. (146-2-16)

#4: Memorandum Wendell Berge to J. Edgar Hoover, 4/24/41, re: Transocean. (146-2-1, Sec. 6)

#5: FBI Memorandum, 12/28/40, re: Employees of the Transocean News Service. (146-2-1)

#6: Report by Special Agent A. K. Bowles, New York, 2/5/41, re: Manfred Zapp, Transocean. (146-2-1, Sect. 4)

#7: Report by Special Agent R. M. Peterson, New York, 6/12/41, re: Manfred Zapp, Transocean. (146-2-1, Sect. 6)

#8: Report by Special Agent M. E. Singleton, New York, 3/20/41, re: William Schlittenhardt, (146-2-16)

#9: Memorandum by W. P. Davison, Special War Policies Unit, 10/3/42, re: Die neue Woche, German Railroads Information Office.

I. Identification

Die neue Woche, a German-language weekly published by the Hardt Press in New York, appeared regularly from April 2, 1939, till some time in July, 1941. However, the first issue available is that of April 9, 1939. The last available issue is dated July 23, but it is not known whether this is actually the last issue of Die neue Woche.

ENCLOSURE

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Die neue Woche is well printed and profusely illustrated. Most of the numbers are 24 or 28 pages in length. Only in its last months did it reduce its size to 22, then to 16 pages. On the average, each issue contains four to five pages of advertising.

It retailed for 5¢ in Greater New York, 10¢ outside Greater New York. Yearly subscription: $3.00. A Dun and Bradstreet report on the Hardt Press, dated December 11, 1940, states that the magazine had a circulation of 3000 "which is sufficient to allow for slight possible profit." (#1, p.1) Mrs. Schlittenhardt, part-owner of the Hardt Press, on the other hand, is reported to have stated that after Manfred Zapp of the Transocean News Service had written an article for Die neue Woche, circulation dropped from 700 to 300. (#1, p.7)

The Hardt Press was owned by Mrs. Martha Schlittenhardt, who attended to the business end of publishing Die neue Woche, and by Bruno Loessner, whose functions were those of a re-write man and technical advisor. (#1) Mrs. Schlittenhardt's husband, William Schlittenhardt, seems to have been the actual publisher of Die neue Woche. (#2, p. 2080ff.) He left the country in April, 1941.

Kurt Mertig, chairman of the Citizens Protective League, was advertising and circulation manager for Die neue Woche. Letters addressed from the German Railroads Information Office to the Hardt Press, Attention: Kurt Mertig, indicate that he may have done some work other than that as advertising manager. (#9) The printing of Die neue Woche lay in the hands of Max Lutz, Mrs. Schlittenhardt's brother-in-law. (#1)

Letters from the German Railroads Information Office to the Hardt Press indicate that one Lorenz Zeuss was connected with the publication of Die neue Woche. (#9)

It is believed that with the exception of William Schlittenhardt, Manfred Zapp, and Gunther Tonn, all the individuals connected with Die neue Woche are still in this country.

II. Sources

A. Die neue Woche and the Transocean News Service:

From its very beginnings, Die neue Woche was closely affiliated with the Transocean News Service and became, during Transocean's brief career in the United States, its main outlet over here. The intimate relation between the two is highlighted by a letter which Schlittenhardt wrote to the editors of Transocean, a letter ending "Mit deutschem Gruss -- Euer treuer Mitarbeiter" ("with German greetings -- your loyal collaborator"). (#4)

(a) Zapp: Willy Schlittenhardt, the owner of a printing establishment in Yorkville, happened to be a friend of long standing of Dr. Manfred Zapp. Zapp, who when he first came to New York as a representative of Transocean, looked up Schlittenhardt, and when the latter hit upon the idea of publishing a daily paper, Zapp talked him out of it. But he does not seem to have been adverse to the idea of Schlittenhardt publishing a weekly, and since his friend lacked the necessary training, Zapp, in his own words, "helped him at the beginning and showed him how to handle this paper and how to give (sic) this paper, the weekly, out." (#2, p. 2880f.)

Actually, Zapp's function seems to have been that of an editor. "In addition to my main activity, and aside from my lecturing activity, I am also editing a weekly," he wrote to a German official in Wiesbaden in March, 1940 (#2, p. 2890), but when Schlittenhardt offered him a partnership in the venture, he declined: "Being a representative of Transocean -- I did not think I wanted to have anything to do with that; so I just helped him and got this paper started." (#2, p. 2881)

Furthermore, Zapp wrote political articles for Die neue Woche. Two of his articles appeared under his signature: "Between Diplomats, Speeches, and Detectives -- Impression of a German Journalist of the Pan-American Conference." (11/5/39); and: "We Want to Honor Our Dead -- for Memorial Day, March 12, 1940." (3/10/40) But these articles constitute only a fraction of his total contributions to Die neue Woche: for at least nine months (September 24, 1939 to June 15, 1940) he contributed three, if not more, pages to each issue of the magazine. Under the pseudonym 'Herman Wille' he wrote a page entitled "Washington Reports"; under the pseudonym 'Otto W. Hermann' he wrote a page entitled "Berlin Reports"; and over the signature Y. Y. he wrote a page entitled "From Week to Week." (#2, p. 2882f.) In addition he wrote an occasional article for Die neue Woche. (#2, p. 2883)

According to Zapp, he ceased writing for the magazine sometime in June or July, 1940, when Schlittenhardt got some people to work for him (#2, p. 2882); and indeed, beginning with the June 23, 1940, issue, Zapp's three pages are dropped all at once and without further explanation. However, in spirit two of them were retained: A page entitled "Among Ourselves" takes the place of Hermann Wille's contributions and deals with the same subjects. (Note: The heading "Among Ourselves" appears also in the December 3 and December 10, 1939, issues where it replaces Zapp's regular page "From Week to Week"; it is signed Y. Y.) The page entitled "From Week to Week" is replaced, for a few weeks, by an unsigned page entitled "Little Review of the Week", but presently reappears under its former heading; no signature. (Note: Often while Zapp was writing admittedly "From Week to Week", the page was not signed.)

When Zapp was too pressed, Heinrich von Eckhardt, Transocean's editor, helped him to edit his stories for Die neue Woche (#2, p. 2884). Zapp said, he never received any compensation for his stories; instead, Schlittenhardt would occasionally invite him to dinner. (#2, p. 2883) Mrs. Schlittenhardt, on the other hand, advised that Zapp received ten dollars for his signed articles on the Pan-American Conference which, she said, was the only article he ever wrote for the magazine. (#1, p.5) -- Von Eckhardt, furthermore, stated that Zapp used to give him ten dollars when he had helped him with his stories. (#2, p. 1710) It may be mentioned that the checking account of Willy Schlittenhardt at the Marine Midland Trust Company, New York, shows that even though most of the withdrawals were made to cash, H. V. Eckhardt figures prominently among those withdrawals where the payee is not designated as cash. (#3, p.3):

Date of check	Amount
4/27/40	$20.00
6/7/40	20.00
8/2/40	20.00
8/12/40	40.00

(b) Guenther Tonn: Guenther Tonn, second in command at Transocean in New York, was likewise a frequent contributor to Die neue Woche. Under his name the magazine ran his novel "The Daughter of the Magician" from its first issue till November 26, 1939. It is tenth rate adventure fiction; non-political. The setting is Shanghai.

According to Mrs. Martha Schlittenhardt, Tonn is also the author of a serial entitled "Where Are You Going, Martha?" which ran, with an interruption of several months, in the September/December, 1939, and the July/August, 1940, issues of Die neue Woche. "Martha" purports to be the confessions of a German girl who was brought by her relatives to New York. The serial was never concluded.

Tonn himself has advised that he wrote fiction and "anecdotes" for the magazine, but nothing political. (#2, p. 2136) However, there are indications that even his contributions were more political than he made them out to be. It must be mentioned at this point that even though most of the articles in Die neue Woche are anonymous, the issues provided by the Bureau identify many of these anonymous authors by means of pencil marks. It is not clear who placed these marks on the copies in the Department files, but there are reasons to believe that these were the Hardt Press copies of the magazine obtained by the Bureau and that the marks were placed there by someone well familiar with Die neue Woche and its contributors. The only glaring exception to this observation is the fact that all articles admittedly written by Zapp are pencil marked with the symbol "E" which, as

indicated in one issue (10/8/39), stands for Von Eckhardt. Otherwise the correctness of these markings is corroborated, as far as can be corroborated, by other sources.

Thus, according to these markings, Tonn is the author of an article on Shanghai (5/7/39) which, in the main, is informative by ends on an anti-English note, criticising England for removing Germany's extra territorial rights in Shanghai and blaming England for the Sino-Japanese war:

> "Without the disowning of German banks and business firms in 1919, and without the forced and brutal deportation of thousands of German families in the same year, there probably would not have been a Sino-Japanese war."

Furthermore, according to these markings, Tonn is the author of Die neue Woche's letter box wherein, before the magazine became openly political, political themes were occasionally touched upon in the form of letters to the editor and answers by the editor. Tonn's authorship of this page seems to be corroborated by a typewritten page found in his apartment headed "Briefkasten" (Letter Box). (#4)

Tonn, being a close friend of Schlittenhardt, advised that he never received any remuneration for the stories and "anecdotes" he contributed to Die neue Woche. (#2, p. 2138)

(c) Wilhelm Hoffmeister. The pencil markings referred to above identify Wilhelm Hoffmeister as the author of numerous articles on politics, sports, history, etc. Mrs. Schlittenhardt, when interviewed, advised that one Mr. August Hoffmeister contributed various articles of literary and news value. (#1, p.5) In all likelihood she was referring to Wilhelm Hoffmeister for Willy Schlittenhardt's account at the Marine Midland Trust Company shows numerous checks withdrawn in favor of William Hoffmeister (#3, p.4):

Date of Check	Amount
8/3/40	$20.00
8/23/40	12.00
9/21/40	20.00
10/5/40	20.00
10/12/40	20.00
10/28/40	20.00
3/8/41	10.00

Wilhelm Hoffmeister, city editor of the New Yorker Staatszeitung und Herold, was employed by Transocean from February till August, 1939. (#5)

(d) Joseph Hunek: Joseph Hunek, a correspondent for Transocean in New York, is the author of a series of articles on the Commodore of a German tanker which was published by Die neue Woche from January 7 to January 28, 1940.

(e) Transocean: Zapp, Tonn, as well as Von Eckhardt have advised that Die Neue Woche did not receive the Transocean news releases. (#2) Its name was not on Transocean's mailing list.

However, Von Eckhardt advised that Zapp would sometimes give to Die neue Woche Transocean stories, i.e., longer articles which were mailed from Germany to Transocean in New York by mail. According to Von Eckhardt, Die neue Woche received these articles free of charge. (#2, p. 1715)

The articles which Die neue Woche obtained by this means and subsequently printed were rarely identified. The articles are either anonymous or signed by the writer's initials. However, the July 28, 1940, issue contains an anti-English article entitled "Of False Cousins" and signed "T.O." T.O., it will be recalled, is the way Transocean identified itself in its news releases. The August 17, 1940, issue contains an article on international trade as conducted by the Nazis entitled "Goods vs. Gold" and identified as a "Transocean Copyright." The March 31, 1940, issue contains an article on a German Company stationed at the French-German front by the well-known German military analyst Ludwig Sertorius who is believed to be a writer for Transocean in Berlin.

Another article which may have been mailed from Germany to Transocean in New York, and then turned over to Die neue Woche for publication is that of Lt. General Jacob, Inspector of the Engineers, the Railway Engineers, and Fortifications." His article is entitled "The German Westwall" and appeared in the August 27, 1939, issue.

In general, the subject matter of many of the anonymous articles carried by Die neue Woche indicates that they originated in Germany. A few representative titles: "The German War Navy" (1/7/40); "Bombers and Reconnaissance" (3/17/40); "German Frontline Fighters Report" (6/2/40); "Visit to the Heinkel Works" (7/7/40); "Experiences of German Flyers" (11/10/40 to 1/15/41) "Todt and his Organization" (2/19/41); "Below Water Against a Rock Barrier" (1/22/41). The last named article clearly reveals its origin, for the writer, reporting on the experiences of a German U-Boat crew, says that "a photographer of our company went along on the voyage of that boat. From him I learn etc." —

Furthermore, it might be mentioned here that for a short while, i.e. from January 3 to January 24, 1940, Die neue Woche had its own fifteen minute radio program over station WHOM, New York. Telling its readers of the new venture in its December 31, 1939, issue, Die neue Woche wrote:

"We are happy to report that 'Transocean', the well-known German news agency which is also serving many German and English newspapers here in this country, is supplying us with the necessary service for this hour."

In the three issues of January 14, January 21, and January 28, Die neue Woche printed the news reports read in its radio program; the latter two of these issues state the source of these news reports, i.e., Transocean News Service.

(f) Financial Transactions: Investigations of the financial transactions of both Transocean and the Hardt Press reveals Transocean, Zapp and Tom as the payees of considerable sums to the Hardt Press. Only once does the process seem to be reversed, to wit, in the summer of 1939 when Schlittenhardt lent Zapp $500.00.

Payments to the Hardt Press as accounted for in Transocean's cash books exceed the deposits made by Transocean or Zapp to the Hardt Press as accounted for in the Hardt Press account at the Manufacturers' Trust Company, and Mrs. Schlittenhardt's account at the Marine Midland Trust Company:

T.O. Cash Book		Hardt Press Accounts
1939:	913.26	989.50
1/1/40 to 2/28/41:	1075.72	938.14

(Sources: for T.O.: #6 and #7; for Hardt Press: #8)

Between January 1 and August 6, 1940, Transocean paid the Hardt Press $723.50; this entry is marked "for paper." (#6) Zapp advised that Transocean in no way subsidized Die neue Woche. All payments to the Hardt Press, he said, were for paper, which the Hardt Press supplied to Transocean, as well as for the printing of advertisements and stationery. (#2, p. 2884 and p. 2886)

Thus, if this is correct, Die neue Woche never received any financial support from Transocean, rather it was subsidized in kind by an agency of the German Government.

B. German Railroads Information Office:

The connections between the Hardt Press and the German Railroads Information Office have been set forth in a separate memorandum. (#9) It may be added here that Die neue Woche identified at times the German Railroads Information Office as the source of some of its illustrations. All the illustrations thus acknowledged are of a non-political character. The July 16, 1939, issue does contain an article on the activities of the German Railroads Information Office in Berlin, summing up

the functions of this agency with the words: "The Railroads Center for German Tourist Traffic . . . makes propaganda for the whole of Germany, for the vigorously active and creating Germany of today."

C. German Library of Information:

The German Library of Information is mentioned only once in the pages of Die neue Woche: The January 8, 1941, issue contains the photograph of the cover of a booklet entitled "A Nation Builds" and mentions that the publisher of this booklet is the German Library of Information. However, it is believed that Die neue Woche made repeatedly use of German Library of Information material since several of the illustrations contained therein are identical, as far as the writer can recall, with those contained in booklets on German achievements in the fields of art, science, architecture, etc. put out by the German Library of Information.

No effort is being made at this time to determine exactly to what extent Die neue Woche made use of German Library of Information material.

D. German Embassy:

From February 4 to February 18, 1940, Die neue Woche featured an article by one Peter Riedel on his glider flight across the Rocky Mountains in June, 1939. The article is non-political. Peter Riedel, according to the Diplomatic List of October, 1940, was at that time Assistant Military Attache for Air at the German Embassy in Washington, D. C.

E. German-American Vocational League:

From February 19 to March 12, 1941, Die neue Woche carried a violently isolationist, sarcastically anti-British column entitled "Oscar's Corner." It is reprinted from In Retrospect, the English-language journal of the German-American Vocational League (DAB). Its author is Karl T. Marx. Die neue Woche also reprinted in its March 5, 1941, issue Karl T. Marx's "A Word to Americans of German Descent." (See In Retrospect, September 1, 1940) Furthermore, it might be pointed out that Die neue Woche contained photographs identical with those featured in Der Amerika-Deutsche, the German-language organ of the DAB. This goes not only for Die neue Woche's pictures of DAB activities, but also for pictures on the German war effort. For example, a picture of nine German fighter planes (11/30/40) can also be found in Der Amerika-Deutsche of June, 1940; a picture on German airplane production (7/25/40) can be found in Der Amerika-Deutsche of September, 1940; a picture

Gradually the political note increased, political articles made their appearance and the page entitled "Letters" was at times completely concerned with political questions. On September 24, 1939, Die neue Woche announced a complete change in its editorial policies, and thus turned into an openly pro-German propaganda organ:

> "From week to week we are going to state at length our point of view towards the political and military developments in Europe and the USA.
>
> "In addition, each number will contain in the future one or several special articles on a definite theme that is connected with the daily events.
>
> ". . . greater stress will be laid on pictures and illustrations . . .
>
> "After long deliberation we decided to make this change because we are convinced that at least one periodical in New York has to guard the point of view of our homeland.
>
> "You, who have lived and worked there for years and have not, despite all loyalty to the country of your choosing, forgotten the country of your birth, should have at least one possibility to see the beginning and the course of the war as it is and not as English-French propaganda try to picture it . . .
>
> "We now intend to make full use of the privilege of free speech as well as of the privilege to sympathize with Germany."

Thus, beginning with the September 24, 1939, issue, Die neue Woche filled about 50% of its text pages with straightforward German propaganda, reviewing events here and abroad from the German point of view, carrying articles that point up the undefeatable strength and efficiency of the German military machine and the Nazi State, and printing up to five pages of photographs which, with some but insignificant exceptions, were made in Germany.

However, beginning with the first weeks in 1941, the amount of German propaganda carried by Die neue Woche decreased. In its November 17, 1940, issue it wrote:

> "During the last days, alas, we have heard the criticism that we are discussing politics too much as it is. We take this as a reminder and intend to get more and more away from politics."

As a result, cultural propaganda began to replace political propaganda; the column "From Week to Week" appeared last in the April 2, 1941, issue, the column "Among Ourselves" in the April 9, 1941, issue. By June, 1941, Die neue Woche had ceased to publish material on Germany. Prior thereto (2/26/41), it had been forced to reprint a story (on German Costumes) that had appeared in its April 30, 1939, issue.

This development paralleled the decline of German propaganda agencies in this country: Transocean was indicted by a Federal Grand Jury in February, 1941; the German Railroads Information Office closed its offices in June, 1941.

B. Themes:

(a) Pro-German: Propaganda falling under this heading, as carried by Die neue Woche, is, in general, rather pro-German than pro-Nazi, i.e. it is mainly concerned with portraying the German war effort and German achievements in a favorable light, while showing no preoccupation with Nazi-ideology. Instead, Nazi-ideology is presupposed as a matter of course, as for example in a remark as the following:

> "Even thinking Americans have grasped in the meantime that this war is no war like other wars but a revolution: the revolution of the poor states against the rich ones . . ."

Or the following passage from one of Manfred Zapp's signed articles:

> "With the progress of technology and the great social readjustments in Europe, with the development of the Central European peoples, new ideas arose there which are not yet understood by a large part of the world . . . The envy of other nations who want to hold back this progress with all means led again to war . . ." (3/10/40)

Or in one place the Soviet-German pact is justified by a reference to "Mein Kampf": "In 'Mein Kampf' Adolf Hitler has made it unmistakably clear that Germany has to safeguard herself either in the West or in the East." (5/14/39)

Thus, Die neue Woche's pro-German propaganda is mainly determined by the war, echoing completely the official German view-point on the present conflict: Germany entered the war because England forced her into it (5/19/40); the Soviet-German pact put the final seal on a "Schicksalsgemeinschaft" (Union of Fate) of long standing (10/8/39); pro-Russian neutrality during the Russo-Finnish winter war (12/10/39); Norway and Holland were invaded to protect these countries from an English invasion (4/14/40; 5/19/40); etc.

At times, indeed, Die neue Woche was altogether too anxious to portray the Germans in a favorable light, as, for example, when it reported that of 24 British planes attacking Wilhelmshaven, the Germans shot down 34 — "possibly the number was even greater." (12/24/39)

The February 11, 1940, issue of Die neue Woche contained a summary of the contents of the German propaganda volume "Polish Atrocities on Germans in Poland."

Die neue Woche identified itself completely with the German war effort, as is shown by a sentence in its Christmas message, 1939: "More than ever before, our Christmas is this time an appeal to the German heart to show ourselves worthy of those who stand ready 'out there' to stake their lives for the Fatherland — and thereby also for us . . ." (12/24/39)

The illustrations, likewise, do not concentrate on the Nazi aspect of the new Germany, rather aim to portray Germany as a model nation. Die neue Woche, for example, never printed a portrait of Hitler, though he appears several times in its illustrations: once as a small figure reviewing a parade in Berlin (3/24/40), and twice together with his closest entourage in a series of pictures (probably taken from the German film "Sieg im Westen") on the Compiegnespectacle. (Signing of French Armistice) (9/1/40) Furthermore, Die neue Woche contains a few snap-shots of Goering (5/26/40; 2/5/41), a portrait of the late Von Tschammer-Osten, Reich sport leader (3/28/41), and one of K. von Neurath, the 'Protector' of Bohemia. (3/12/40) On the other hand, Die neue Woche contained a great many portraits of the German military leaders, and once filled a whole page with their faces. (12/31/39)

Other pictures worth noting are those aiming to portray the spirit of friendly collaboration reigning between the German protectors and the people in the occupied countries (8/4/40; 10/20/40); and those illustrating articles on technical, social, scientific, etc. developments in Germany.

The dishonesty of Die neue Woche's propaganda methods becomes, at times, ridiculously apparent, as, for example, in the case of a picture taken during a pre-war air-raid rehearsal over Berlin, identified as such by the magazine (9/24/39) — a picture which appears later above the caption "German Bombing Attack on a Besieged City" (6/2/40); or in

the case of a picture of some picturesque fishing vessels which, when it first appeared, bore the caption, "This is how the 'Maashaven' in Rotterdam looks today; instead of going out to sea and serving their purpose, the ships are laid up" (3/10/40); when this picture was printed again, the caption read: "Concentration of barges and ships in harbors on the English Channel." (9/29/40, i.e. when Germany was about to invade England)

Die neue Woche's cover-photo is usually of a non-political nature; however, now and then it would deal with a subject connected with the German war effort — a German submarine (11/26/39), a German battleship (1/7/40), German soldiers repairing a bridge in Poland (5/12/40); a wrecked house with a bandaged man in the foreground, the caption reading: "Inhabitants of a Dutch village after an attack by English bombers" (9/8/40); etc.

The cover of the March 31, 1940, issue shows an autographed portrait, dedicated to Die neue Woche, of Duke Eduard of Sachsen-Coburg, head of the German Red Cross. Zapp advised that it was he who obtained this picture from the Duke when the latter toured the United States. (#2, p. 2567) The same issue contains an interview which the Duke granted "a representative of 'Die neue Woche'." A week earlier, the magazine wrote re the Duke's visit:

> "In German circles the Duke has told that before his departure from Berlin he had seen the Fuehrer who had said him to give his hearty greetings to all the Germans on the other side of the ocean and to tell them that the Fuehrer of the German people was not forgetting the Germans overseas; and the Duke went on to tell that after his return to Berlin he would look up the Fuehrer again and tell him how much the Germans of America are attached to the homeland and are thinking of the homeland." (3/24/40)

(b) Anti-British: Even before the outbreak of the war, Die neue Woche treated England as the enemy of Germany:

> "Even here in our country people are awaking and are pointing out the nature of this British lion, of which it has recently, and certainly to the point, been said in Danzig that he is not concerned with Danzig but solely with the support of the Polish Army in line with the policy of encirclement aimed against Germany." (7/15/39)

The England that emerges from the pages of Die neue Woche after the outbreak of the war is that of the German propaganda machine: a petrified, plutocratic form of society in which pets are better treated than the lower classes. The best example for this view of England is an article by 'Otto E. Hermann':

> "British colonial imperialism has ruined the English farmer years ago; farming in England today is restricted to raising pedigree horses, some dairying, a few chicken farms, brewer's barley for the production of whiskey, and flowers for the cities. All food products have to be imported from overseas. The English country-side is a park-like landscape, one single large garden surrounding the castles of the rich, or it consists of heaths and moors on which pheasants and guinea-hens are shot and the fox is hunted behind the hounds . . . It is not the small farmers but the owners of the large estates that refuse to have their land plowed 'for victory' . . .
>
> "In England the English unemployed play the part of the Indians. For them there are no air-raid shelters, and gas masks only then when they can pay for them. English pets are better cared for . . .
>
> "The English started the war for the sake of preserving their wealth, for the strengthening of the position of the British plutocracy which had begun to shake, for eternization of the class system which embodies British democracy . . ." (4/21/40)

This article is entitled "Fox Hunts for the Lords;" it is illustrated by the picture of a Scottish lake, the caption reading: "As before, the Lords follow their pleasures while the 'common people' take care of the country's defence."

Die neue Woche invariably ridiculed British democracy (e.g., 7/2/39; 1/7/40; 9/1/40); Lord Lothian is "the chief of the British 'fifth column' in America" (6/9/40); British supremacy on the oceans "was always identical with a permanent state of unlawfulness on the seas whose cause and only beneficiary was England" (4/28/40); English propaganda is a "propaganda of lies" (4/21/40), while it is a "real relief when one can listen to the German short-wave broadcasts." (9/10/39)

As the expected invasion of England failed to materialize, Die neue Woche printed numerous pictures to illustrate the ruthlessness of British bombers on their missions over German (or German-occupied) territory. These pictures are of two types: (1) they show some beautiful German building and mention in the caption underneath that English bombs have been dropped on, or in the vicinity of, these buildings (6/30/40; 8/11/40; 11/10/40); or (2) they show wrecked non-military

objectives in Germany, such as churches, hospitals, or children's homes, and mention that these have been bombed by the English. (9/8/40; 9/15/40; 10/6/40; 10/27/40; 11/3/40) Especially characteristic for this type of propaganda is a picture of a funeral procession, the caption reading: "Funeral of some civilians killed by English bombs in Germany. The picture contradicts English propaganda and shows that in Germany, still as before, the Catholic Church is carrying out its functions." (10/13/40)

A further reflection on Die neue Woche's anti-British attitude is its advice to its readers not to spend their vacations in Canada: "That country has declared war against Germany, don't you remember." (2/11/40; 7/21/40)

(c) Anti-Roosevelt Administration: Even though Die neue Woche does not view the United States, as it did in the case of pre-war England, as a potential enemy, it repeatedly points to the Administration's "pro-British" attitude. One example:

> "Are the American people still in the position to carry through their will at all? Or are they going to be confronted by that powerful interventionist clique which sets the tone today, by the ruthless power of egotistic financial and business interests, by British propaganda and by the incurable world-improvers in their own country, are they going to be confronted by faits accomplis which even their vote cannot retract?" (4/21/40)

As for President Roosevelt, "we know his enraged pro-British point of view" (4/21/40); nor can he be considered an "honest intermediary" (4/23/39), while the Democratic Convention in Chicago, 1940, was "dirty business". (7/21/40) Die neue Woche's final verdict on our form of government is contained in the statement: "Our democracy — and certainly to its own disadvantage — is on the point of becoming English in nature." (1/1/41)

In contrast, the magazine lauds Colonel Robert McCormick and Lindbergh, and quotes Lawrence Dennis (6/2/40), winding up with the remark that so far no one in a responsible position has tried to make the American people grasp "that the United States can endure even when England is conquered by Hitler." (Ibid.)

(d) The German-American Problem: Charged with all the resentment of the pro-Nazi German-American, Die neue Woche is anxious to build up a martyr-complex in its readers, telling them incessantly that a hate-campaign is conducted against the Germans in America, even referring at one point to the "insults and mal-treatments which hundreds of thousands of Germans had to

suffer in America during the last months (in gratitude for years and decades of long collaboration in the building up of this country!)." (7/21/40) In a similar vein is its reprint of Karl F. Harri's "A Word to Americans of German Descent" in which the readers are told that they are "refused a voice by the evil powers that be" and that they are "hunted and haunted if /they/ cry out in insufferable anguish." (3/5/41)

As a complementary to this line, Die neue Woche appeals to its readers' pride and "racial consciousness" by stressing the contributions Germans made to the life of America. "No other race has played as large a role in the building up of this country as the German race," it writes in an article on General von Steuben; "the German influence was so great that at one time German missed by a hair becoming the language of the country." (12/3/29. - Note: This fantastic story, familiar to all readers of "Mein Kampf", has its roots in a vote that was taken more than a century ago in some Pennsylvania-Dutch community when it was decided by one vote to use English, rather than German, as the official language.) In a similar vein, the May 19, 1940, issue printed an editorial from the Rochester Times which listed ten points under the heading "We Have the Germans to Thank for the Following" and then took the English to task under the heading "Now What Have the English Really Done For the United States.":

> "After being walloped in 1773-83 they got jealous because the United States was building up a good foreign trade. They started raiding American ships until Uncle Sam had to give them another spanking in 1812 . . . Yes, we all know England took Canada away from France. That is the way she got all her colonies, by robbing the countries she felt sure she could lick . . ."

In line with Nazi inspired propaganda in this country, Die neue Woche pleads for unity among German-Americans:

> "We, too, could learn from the homeland, especially unity which could bring us together here into a firm bloc. Into a bloc which could sharply oppose the warmongering, pro-British propaganda . . . and then would be heard. For certainly there is no German-American who wants to see our America at war with our old homeland." (12/22/40; similarly: 2/11/40)

Putting to nought this last quoted statement, Die neue Woche repeatedly agitates against anti-Nazi German-Americans: "The attacks of the Social-Democrats against Germany are even more disgusting than the scribblings of Jewish periodicals . . ." (7/26/40; similarly: 4/9/39; 10/1/39)

In a not too subtle fashion, Die neue Woche advised its readers to return to Germany:

> "In a very general way, however, we want to say that all capable people who command some special skill can today reckon with finding a good income in Germany. And not only a good income -- but also peace and harmony . . . Don't let yourself become confused! Whoever believes he has to return, or is capable of returning, should let nothing interfere with his decision." (7/23/39)

As late as September, 1940, Die neue Woche carried a full-page advertisement by the firm of Julius F. Rudow, most of which consisted of a summary of German monetary regulations "Rueckwanderer" and immigrants to Germany are subject to. (September 8 to September 22, 1940) Finally, a "Rueckwanderer" faces not only the pleasure of living peacefully and harmoniously in Germany but also, according to Die neue Woche, the additional pleasure of leaving the United States: After everything hundreds of thousands of Germans have had and will have to cope with in America, it writes, "they will probably after a war won by Germany strive for nothing else than to turn their backs upon this country as quickly as possible." (7/21/40)

But while they are in this country, Germans are advised to become citizens: "You also have the right to criticize conditions in this country, for you have contributed considerably to the growth of this nation, no matter whether you become a citizen or not. We not only do not want to keep anyone from becoming a citizen, but even consider it expedient." (6/4/39)

And then, when America was drifting closer and closer to war with Germany, Die neue Woche advised its readers to be loyal to the United States: "A split loyalty cannot be permitted to exist . . . The main virtue which has to be exercised in this time of conflict is called keep your mouth shut . . . Words are serious evidence, especially when they are passed on wrongly and when they are distorted. Therefore: be strictly loyal, talk as little as possible and show yourself a loyal citizen in word and deed." (3/26/41)

IV. Die neue Woche in the German-American Community

Die neue Woche carried a good deal of news on numerous right-wing German-American organizations in Greater New York, such as the Society of International Artists, the First German-American Jiu-Jitsu Club, the Reichsdeutsche Vereinigung, the Marine Verein, New York, etc.

For a while (winter-spring, 1940) it announced itself as the official organ of the German-American Association of Union County, New Jersey.

The following organizations seem to have been closely connected with Die neue Woche:

(a) Kurt Mertig's Citizens Protective League announced, with one interruption of several weeks, its weekly meetings in all the 1939 issues of Die neue Woche, indicating that these meetings were addressed by "first-class speakers in the country's tongue." — In this connection it may be mentioned that 'John Roy Carlson', author of Under Cover, was a frequent visitor at the Citizens Protective League in its early days; on p. 43 of his book he wrote: "A distinctive note at the League meetings was the free literature: propaganda bearing the imprint of the German Library of Information and a weekly in German, Die neue Woche * * *"

(b) Die neue Woche gave a good deal of publicity to the Kyffhaeuser Kriegshilfswerk and announced in the March 3, 1940, and following issues that contributions were accepted at the offices of Die neue Woche. The November 10, 1940, issue announced that Mrs. H. S-Hardt /Mrs. Schlittenhardt/ had been elected President of the Women's Auxiliary of the Kyffhaeuser Kriegshilfswerk. The November 30, 1940, issue reported that Mrs. Martha S-Hardt had addressed a meeting of the Women's Auxiliary, stressing the fact that we should sacrifice part of our freedom in order to help the German prisoners of war in Canada.

(c) From May to July, 1940, Die neue Woche featured several articles dealing with the opening of Bergwald and the youth camp of the German-American Vocational League. Certain similarities between In Retrospect, the organ of the Vocational League, and Die neue Woche have been dealt with above.

(d) Every six months or so, Die neue Woche ran an article on the German-American Conference, lauding the fine work it was doing towards helping needy German Americans. It gave considerable publicity to the annual bazaar of the Conference in Madison Square Garden.

(e) From February 18 till May 12, 1940, Die neue Woche gave considerable publicity to a so-called "Entertainment Forum" which, combining entertainment with lectures on political or unpolitical subjects, met every week, first in Hans Jaeger's Turnhalle, then in the Mozart Cafe, 86th Street and 2nd Ave. Political subjects discussed at these meetings were of the following nature: One Dr. Franz Jablonsky spoke on "Race and Politics", while Louis Zahne, speaking several times, discussed "The Germans and Our Destiny in America", "America-Germandom and its Future," and "Made in England". Louis Zahne, it will be recalled, was one of the founders of the New Friends of Germany and according to "Under Cover", a frequent

speaker in Kurt Hertig's Citizens Protective League. Die neue Woche printed several of the speeches given at this "Entertainment Forum", but none of the ones listed above. However, one of the printed speeches gives an indication of the general tone of this series: it is entitled "The True Causes of Present Conditions" and is thoroughly anti-democratic, its author being one Ludwig Lober:

> "'Democracy' and 'Equality of Opportunity' gave mass-man, for the first time in history, an opportunity to annex, on behalf of his character or lack of character, respectively, the power in public life which heretofore had been hereditary in nations, castes, and human values . . . With the best intentions in the world the way was paved to hell . . ." (3/10/40)

V. Conclusion

There probably has been no other German-American publication that worked so much hand in glove with the official German propaganda agencies in this country than did Die neue Woche. Its propaganda, cleverly balanced by a large amount of stories, novels, jokes and puzzles, is, indeed, identical with that spread by Transocean, the German Railroads Information Office and the German Library of Information, while it steers comparatively clear of the type of propaganda spread by those German-American publications that were reflecting the viewpoint and ideology of the Nazi Party, such as the Teckruf und Beobachter and In Retrospect.

From the evidence at hand it appears that Manfred Zapp consciously used Die neue Woche as an outlet for German propaganda, for not only did he make Transocean stories available to them free of charge, but he also acted as their editor and as one of their chief contributors, admittedly without being payed for his efforts; in other words, the editor of Die neue Woche was in the pay of the German Government. Thus it would seem that through a combination of its agencies and officials the German Government subsidized the publication by furnishing free of charge, the services of an editor, and a considerable portion of the material appearing in the publication. Hertig and others connected with the organization seem to have been fully aware of these facts. To this extent Bardt Press was a "domestic organization subsidized directly or indirectly in whole or in part" by a foreign government. Thus it was a foreign principal and within Section 1(a) of the McCormack Act, and its employees would seem to have been subject to the Act.

Michael Weyl

Approved by:

Joseph M. Lechnight

COPY

CTL-JMM:WPD

146-28-101

August 18, 1943

bc

MEMORANDUM FOR JAMES R. SHARP
CHIEF, FOREIGN AGENTS REGISTRATION SECTION

Re: Kurt Mertig

In the course of an investigation of the National Weeklies, Inc., Winona, Minnesota, conducted by the Alien Property Custodian, a letter believed to have been written by Kurt Mertig was found in the personal files of Emil Leicht, President of the National Weeklies.

This letter was typewritten in English, was addressed to Mr. Emil Leicht and was dated at New York, September 5, 1942. The signature appearing at the bottom of this letter had been removed by cutting out a portion of the paper, and the address of the sender had been covered with ink, thus making it clear that Mr. Leicht wished to conceal the identity of the writer. The text is as follows:

New York, N. Y.
(address illegible)
September 5, 1942

Mr. Leicht
President
National Weeklies, Inc.
Winona, Minn.

Dear Mr. Leicht:-

I have written you before, how I think a paper written in this country for Americans of German descent or of German birth should be edited that I do not need to elaborate further on this point.

I grant that it is difficult for a German language paper to stear a middle course between the two extremes, writing as the majority of its readers expect it to write, or writing as the hook-noted boyscouts, who crept into so many key positions of the "New Deal" administration, want it to write. The one extreme might mean being shut down by the postmaster on instructions of the mental lightweight in the Attorney General's office, while the other extreme means committing harikiri by alienating its readers.

And still I believe that an American newspaper written in the German language should maintain its dignity, and not crawl on its belly. - If it does not dare to write its editorials along similar lines like the New York Daily News, the Chicago Tribune or the Washington Times-Herald, then leave out the editorial part entirely and limit oneself to news, but unbiased news, leaving out propaganda news, which the average American of German descent refuses to swallow.

When I was ready (I could not get a car before) to visit the vacation districts, principally up in the Catskills and the Pocono Mtns, your articles and editorials written by that renegade Gerhart H. Seger (editor of the New York Volkszeitung) appeared and I was practically thrown out everywhere, when soliciting advertisements and subscriptions from those summer resorts.

I did not complain to you, as I figured "What is the use", but since you publish in your last number an open letter to your readers I presume that you must have felt a similar reaction in the Middle West as I experienced it in the East, and for this reason I dwell on the subject of editorial policy to-day.

I am no magician and cannot guarantee that my above suggested policy will get off your neck those political morons in administration circles, who apparently never heard of FREE PRESS, but at least it will not force you out of existence for being out of sympathy with your readers.

Sincerely,

(signature removed with sharp instrument)

When asked who the writer of this letter was, Mr. Leicht, Jr., son of the President of the National Weeklies, said he did not know. He was then asked directly if the writer was Kurt Mertig and at first replied in the affirmative but later said he could not remember definitely. It is thought probable that this letter was written by Kurt Mertig, however, because Mertig was the agent for the National Weeklies in and around New York City, and the contents of the letter indicate that the author was engaged in soliciting subscriptions for the National Weeklies and was, therefore, probably an agent. The style is similar to that used by Kurt Mertig in other communications.

The original of this letter was taken by Special Agent Dinsmore, of the St. Paul field office of the Bureau, in order to have the technical laboratories determine its authorship. It is not yet known whether this determination has been completed.

W. P. Davison

Approved by:

WKH:IS

65-20552-80

November 3, 1943

SAC, New York

RE: KURT MERTIG
INTERNAL SECURITY - G; REGISTRATION ACT;
DENATURALIZATION PROCEEDINGS
REFER FIVE-IS

Dear Sir:

Reference is made to previous communications in the above-captioned case concerning the OPA ration books found at the time Mertig's premises were searched, which were issued in the names of Patricia, Beatrice and Ida Mertig, who, at that time, were not in the United States.

Specific reference is made to your teletype dated October 25, 1943, advising that while the originals of these books had been returned to Mertig, photostatic copies had been retained as exhibits in your files. It is desired that two photostatic copies of each of these ration books be forwarded to the Bureau as enclosures to a letter from you bearing the above caption.

You are directed to see that this matter is given expeditious attention and I will expect to receive this material not later than November 10, 1943.

Very truly yours,

John Edgar Hoover
Director

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/BSN/RES

Tolson
E. A. Tamm
Clegg
Coffey
Glavin
Ladd
Nichols
Rosen
Tracy
Acers
Carson
Harbo
Hendon
Mumford
Starke
Quinn Tamm
Nease
Gandy

COMMUNICATIONS SECTION
MAILED
NOV 4 - 1943
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

U. S. DEPT. OF JUSTICE
F B I
RECEIVED READING ROOM
NOV 4 11 22 AM '43

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Gurvin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy
Teletype Room

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-7 GSK/GSA/RLS

WASHINGTON FROM NEW YORK 24 25 9-43 P

DIRECTOR

WOOD. KURT MERTIG INTERNAL SECURITY G, REGISTRATION ACT, DENATURALIZATION PROCEEDINGS. REVIEW OF FILE INDICATES OPA RATION BOOKS FOUND AT MERTIGS PREMISES IN NAMES OF PATRICIA, BEATRICE AND IDA MERTIG HAVE BEEN RETURNED TO MERTIG. HOWEVER, PHOTOSTATIC COPIES WERE MADE AND ARE BEING RETAINED AS EXHIBIT IN NY FILES.

RECORDED & INDEXED 94 CONROY

65-20553-80

HOLD PLS

Letter to NYC 11/3/43 WKH

18 NOV 6 1943

WKH:IS
65-20553-79

November 20, 1943

SAC, New York

RE: KURT MERTIG
INTERNAL SECURITY - G
REGISTRATION ACT
DENATURALIZATION PROCEEDINGS
REFER FIVE-IS

Dear Sir:

Further reference is made to my numerous previous communications to you concerning the investigation of the above-captioned subject. For your further assistance and appropriate attention in connection with this investigation, I am enclosing copies of a memorandum dated October 25, 1943, received by the Bureau from James R. Sharp, Chief, Foreign Agents Registration Section, War Division, Department of Justice.

As you will recall, certain comments have in the past been made by Departmental representatives concerning the possibility of prosecuting Mertig for a violation of the Foreign Agents Registration Act in connection with his activities with relation to the Hardt Press and William Schlittenhardt. As you will note the enclosed material contains certain information concerning this matter.

It is noted that your office has conducted an investigation of the Hardt Press in connection with the closed case entitled "William Schlittenhardt; Hardt Press, Internal Security - G, Registration Act". It is desired that this file and all other information in your field office files concerning Schlittenhardt, the Hardt Press or Bruno Loesener be carefully reviewed and that all information pertinent to the above-captioned case be carefully correlated and appropriately reported.

In the event this file review, when considered together with the results of the investigation in the above case, indicates the advisability of further investigation of Loesener, Schlittenhardt or the Hardt Press in connection with Kurt Mertig, they should, of course, be joined as subjects in this case.

Very truly yours,

John Edgar Hoover
Director

Enclosure

Tolson
E. A. Tamm
Clegg
Coffey
Glavin
Ladd
Nichols
Rosen
Tracy
Lars
Carson
Arbo
Gandon
Hamford
Starke
Quinn Tamm
Pease
Candy

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/BJA/RLS

13

WKH:IS
65-20553-79
11/20/43

RECORDED

MEMORANDUM FOR MR. TOM C. CLARK
ASSISTANT ATTORNEY GENERAL

Attention: Mr. James M. McInerney

RE: KURT MERTIG
INTERNAL SECURITY - G

Further reference is made to my previous communications to you concerning the above-captioned investigation. For your further information and assistance in connection herewith, I desire to advise that I am in receipt of a memorandum dated October 25, 1943, from Mr. James R. Sharp, Chief, Foreign Agents Registration Section, War Division of the Department, enclosing certain material concerning the Hardt Press, William Schlittenhardt and Bruno Loesener, with whom, as you will recall, Mertig was at one time connected.

For your further information in this connection, the Bureau has conducted in the past an investigation of Schlittenhardt and the Hardt Press and the results of this investigation are presently being reviewed for all information pertinent to the activities and possible prosecution of Kurt Mertig, which information will be made available to you in a report in the above-captioned case as soon as possible.

Very truly yours,

John Edgar Hoover
Director

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/BJH/RIS

COMMUNICATIONS SECTION
MAILED 7
NOV 22 1943
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Tolson
E. A. Tamm
Clegg
Coffey
Glavin
Ladd
Nichols
Rosen
Tracy
Acers
Carson
Harbo
Hendon
Mumford
Starke
Quinn Tamm
Nease
Gandy

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT New York City

FILE NO. 100-8054 MS

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Buffalo, N.Y.	10/27/43	10/19/43	HAROLD M. TOBIN

TITLE	CHARACTER OF CASE
KURT MERTIG	SECURITY MATTER (G), DENATURALIZATION PROCEEDINGS (G), REGISTRATION ACT, SEDITION.

SYNOPSIS OF FACTS: Efforts to locate MRS. JULIAN UMSCHEIT at Silver Lake, N.Y. were made with negative results.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-1 GSK/BOH/RLD

- RUC -

REFERENCE: Report of Special Agent CLEMENT A. O'BRIEN, New York City, 10/2/43.

DETAILS:

Mr. CLAUDE C. CURTISS, Postmaster at Silver Lake, N.Y. advised that he has been Postmaster at Silver Lake since 1914, and that he is not acquainted with MRS. JULIAN UMSCHEIT. CURTISS advised that during the summer months Silver Lake has a population of approximately 200 people, and that during the winter months the population is about 30. CURTISS stated that he is well acquainted with nearly all the inhabitants of Silver Lake, but that he cannot recall any person by the name of JULIAN UMSCHEIT ever residing there. CURTISS advised that there are many Silver Lakes in New York State, and that it is possible she is residing at one of these. They are located in the following places: Silver Lake, Statten Island; Silver Lake near Swan Lake, N.Y.; Silver Lake Park, East White Plains, N.Y.; Silver Lake, N.J.; and Silver Lake Adirondack Post Office Hawkeye, N.Y.

REFERRED

Contact was also had with Postmistress MRS. LEOLA WAGNER at Silver Springs, N.Y., and she advised that there is no person by the name of MRS. JULIAN UMSCHEIT residing at Silver Springs.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

APPROVED AND FORWARDED: John B. Little C.H. SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

RECORDED & INDEXED

COPIES OF THIS REPORT
5 Bureau
3 New York City
1 USA SDNY
2 Buffalo

29 OCT 30 1943

34 NOV 10 1943

7—2034

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

TCC-JJM-BGL

146-28-101

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

October 13, 1943.

MEMORANDUM FOR THE DIRECTOR,
Federal Bureau of Investigation,

Re:

KURT MERTIG,
Internal Security - G
Registration Act.

It is requested that the following investigation be conducted in connection with the above subject:

1. Interview the former employees of the German Consulate in New York who were Bureau informants in the "B. Westermann Company, Inc."; "U. F. A. Films" cases, and other cases, and thoroughly interrogate them with regard to any knowledge they might have of subject Mertig's visits to the German Consulate. Particular attention should be given to the dates of any such visits and the purpose of the same if known. It is also requested that the same interrogations be made in regard to "William G. G. Mitchell" hereinafter mentioned.

2. Interview Friederich Ernst Ferdinand Auhagen, and interrogate him with regard to any knowledge that he might have of the activities of the subject, particularly with regard to those in association with the above-mentioned Mitchell and his contacts with the German Consular Office.

DEFERRED RECORDING

3. On page 12 of the report of Special Agent S. H. Moore, dated July 22, 1943, at New York City, made in connection with the investigation of this subject, reference is made to a report to be made by Special Agent C. R. MacInnes entitled "William George G. Mitchell, Espionage - G".

RECORDED & INDEXED

In view of the fact that it appears that Mertig was closely associated with Mitchell in connection with the latter's efforts

33 NOV 11 1943

FOR DEFENSE
BUY
UNITED STATES SAVINGS BONDS AND STAMPS

COPIES DESTROYED
R 250 AUG 22 1960

in arranging for the repatriation of German nationals prior to his (Mitchell) repatriation, it is requested that you furnish the Criminal Division all the information the Bureau has with regard to Mitchell.

4. It is also requested that the Bureau interview [redacted] and any other Bureau informants who might be familiar with Mertig's activities, and who have not as yet been interviewed, particularly with regard to the repatriation of German nationals and Mertig's alleged representation that he is cooperating in this activity with the Swiss Consulate.

b7D

5. On page 7 of the above report of Special Agent Moore there is set out information obtained from the records of the Bureau of Immigration and Naturalization indicating that Mertig was admitted to citizenship on January 30, 1931, and the witnesses to his citizenship, who were "Henry R. Bauman" and "Carl Hochreuther". It is noted that the Bureau has files on both of these individuals. However, copies of the same have not been furnished to the Division of Communications and Records.

In view of the possibility of the institution of denaturalization proceedings against this subject, it is requested that the Bureau ascertain whether or not the above-mentioned witnesses were actually acquainted with the subject for five years prior to his naturalization. It is particularly desired that the residences of these respective witnesses be determined for this period.

It would be appreciated if the Bureau would give expeditious attention to the above-requested investigation.

Respectfully,

Tom C. Clark

TOM C. CLARK,
Assistant Attorney General.

Federal Bureau of Investigation
United States Department of Justice
NEW YORK, NEW YORK

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/GJA/RLS

WHN:JB
100-16314

November 10, 1943

Director, FBI

RE: KURT MERTIG
INTERNAL SECURITY (G)
REGISTRATION ACT
DENATURALIZATION PROCEEDINGS
SEDITION - REFER 5IS

Dear Sir:

Reference is made to Bureau letter to New York dated November 3rd, 1943 concerning the above captioned subject in which you requested two photostatic copies of each of the ration books found on the subject's premises.

Enclosed please find the photostatic copies which you requested.

COPY IN FILE

149

Very truly yours,

1 65-20555-83
F B I
31 NOV 11 1943

E. E. Conroy
E. E. CONROY,
SAC

FIVE

6 31 149

Enclosures

memo to Clark 11/23/43 WKH

FOR VICTORY BUY UNITED STATES WAR BONDS AND STAMPS

COPIES DESTROYED
R250 AUG 22 1953

UNITED STATES OF AMERICA

War Ration Book Fine

No. 438947 -344

WARNING

1. Punishments ranging as high as *Ten Years' Imprisonment or $10,000 Fine, or Both,* may be imposed under United States Statutes for violations thereof arising out of infractions of Rationing Orders and Regulations.
2. This book must not be transferred. It must be held and used only by or on behalf of the person to whom it has been issued, and anyone presenting it thereby represents to the Office of Price Administration, an agency of the United States Government, that it is being so held and so used. For any misuse of this book it may be taken from the holder by the Office of Price Administration.
3. In the event either of the departure from the United States of the person to whom this book is issued, or his or her death, the book must be surrendered in accordance with the Regulations.
4. Any person finding a lost book must deliver it promptly to the nearest Ration Board.

OFFICE OF PRICE ADMINISTRATION

The Stamps contained in this Book are valid only after the lawful holder of this Book has signed the certificate below, and are void if detached contrary to the Regulations. (A father, mother, or guardian may sign the name of a person under 18.) In case of questions, difficulties, or complaints, consult your local Ration Board.

Certificate of Book Holder

I, *the undersigned,* do hereby certify that I have observed all the conditions and regulations governing the issuance of this War Ration Book; that the "Description of Book Holder" contained herein is correct; that an application for issuance of this book has been duly made by me or on my behalf; and that the statements contained in said application are true to the best of my knowledge and belief.

[Book Holder's Own Name]

(Signature of, or on behalf of, Book Holder)

Any person signing on behalf of Book Holder must sign his or her own name below and indicate relationship to Book Holder .....

(Father, Mother, or Guardian)

☆ U. S. GOVERNMENT PRINTING OFFICE : 1942 16—20651-1

OPA Form No. R-302

AUTHORIZATION CHANGED
TO CONFORM TO JUDGMENT
DATED 6/4/81
BY SB-1650/B35/h/ru

FOLD BACK + FOLD BACK

Certificate of Registrar

This is to Certify that pursuant to the Rationing Orders and Regulations administered by the OFFICE OF PRICE ADMINISTRATION, an agency of the United States Government,

(Name, Address, and Description of person to whom the book is issued:)

Morton Pauline
(Last name) (First name) (Middle name)

317 East 54 St
(Street No. or R. F. D. Box No.) (Street or R. F. D.)

New York Manhattan New York
(City or town) (County) (State)

has been issued the attached War Ration Stamps this 6 day of March, 1942, upon the basis of an application signed by himself ☐, herself ☐, or on his or her behalf by his or her husband ☐, wife ☐, father ☐, mother ☐, exception ☐. (*Check one.*)

Hannah C. Rogers
(Signature) (Registrar)

Local Board No. M-1-4-7 County Manhattan State New York

5 ft. 5 in. (Height) 130 lbs. (Weight) Blue (Color of eyes) Blond (Color of hair) 21 yrs. (Age) Sex { Male ☐ Female ☒

FOLD UP

Stamps must not be detached except in the presence of the retailer, his employee, or person authorized by him to make delivery.

WAR RATION STAMP 28	WAR RATION STAMP 26	WAR RATION STAMP 24	WAR RATION STAMP 22	WAR RATION STAMP 20	WAR RATION STAMP 18	WAR RATION STAMP 16	WAR RATION STAMP 14	WAR RATION STAMP 12	WAR RATION STAMP 10	WAR RATION STAMP 8	WAR RATION STAMP 6	WAR RATION STAMP 4	WAR RATION STAMP 2	WAR RATION STAMP 27	WAR RATION STAMP 25	WAR RATION STAMP 23	WAR RATION STAMP 21	WAR RATION STAMP 19	WAR RATION STAMP 17
WAR RATION STAMP 15	WAR RATION STAMP 13	WAR RATION STAMP 11	WAR RATION STAMP 9	WAR RATION STAMP 7	WAR RATION STAMP 5	WAR RATION STAMP 3	WAR RATION STAMP 1												

UNITED STATES OF AMERICA

War Ration Book One

No. 438949 -344

WARNING

1. Punishments ranging as high as *Ten Years' Imprisonment or $10,000 Fine, or Both,* may be imposed under United States Statutes for violations thereof arising out of infractions of Rationing Orders and Regulations.
2. This book must not be transferred. It must be held and used only by or on behalf of the person to whom it has been issued, and anyone presenting it thereby represents to the Office of Price Administration, an agency of the United States Government, that it is being so held and so used. For any misuse of this book it may be taken from the holder by the Office of Price Administration.
3. In the event either of the departure from the United States of the person to whom this book is issued, or his or her death, the book must be surrendered in accordance with the Regulations.
4. Any person finding a lost book must deliver it promptly to the nearest Ration Board.

OFFICE OF PRICE ADMINISTRATION

The Stamps contained in this Book are valid only after the lawful holder of this Book has signed the certificate below, and are void if detached contrary to the Regulations. (A father, mother, or guardian may sign the name of a person under 18.) In case of questions, difficulties, or complaints, consult your local Ration Board.

Certificate of Book Holder

I, *the undersigned,* do hereby certify that I have observed all the conditions and regulations governing the issuance of this War Ration Book; that the "Description of Book Holder" contained herein is correct; that an application for issuance of this book has been duly made by me or on my behalf; and that the statements contained in said application are true to the best of my knowledge and belief.

_____ [Book Holder's Own Name]
(Signature of, or on behalf of, Book Holder)

Any person signing on behalf of Book Holder must sign his or her own name below and indicate relationship to Book Holder _____

_____
(Father, Mother, or Guardian)

☆ U. S. GOVERNMENT PRINTING OFFICE : 1942 16—28651-1

OPA Form No. R-[illegible]

APPROVED
DATE 8/14/81 BY SB-1 BSM105

FOLD BACK + FOLD BACK

Certificate of Registrar

This is to Certify that pursuant to the Rationing Orders and Regulations administered by the OFFICE OF PRICE ADMINISTRATION, an agency of the United States Government,

(Name, Address, and Description of person to whom the book is issued:)

Morris — Ben — 317 East 54 Street
(Last name) (First name) (Middle name) (Street No. or P. O. Box No.) (Street or R. F. D.)
New York — New York — New York
(City or town) (County) (State)

5 ft. 6 in. 130 lbs. Brown Black 44 yrs. Sex { Male ☐ Female ☒
(Height) (Weight) (Color of eyes) (Color of hair) (Age)

has been issued the attached War Ration Stamps this 6 day of March, 1942, upon the basis of an application signed by himself ☐, herself ☐, or on his or her behalf by his or her husband ☒, wife ☐, father ☐, mother ☐, exception ☐. (*Check one.*)

Nanette C Rogers
(Signature) (Registrar)

Local Board No. M-1-4-7 County Nassau State New York

Stamps must not be detached except in the presence of the retailer, his employee, or person authorized by him to make delivery.

FOLD UP

WAR RATION STAMP 28	WAR RATION STAMP 26	WAR RATION STAMP 24	WAR RATION STAMP 22	WAR RATION STAMP 20	WAR RATION STAMP 18	WAR RATION STAMP 16	WAR RATION STAMP 14	WAR RATION STAMP 12	WAR RATION STAMP 10	WAR RATION STAMP 8	WAR RATION STAMP 6	WAR RATION STAMP 4	WAR RATION STAMP 2	WAR RATION STAMP 27	WAR RATION STAMP 25	WAR RATION STAMP 23	WAR RATION STAMP 21	WAR RATION STAMP 19	WAR RATION STAMP 17	WAR RATION STAMP 15	WAR RATION STAMP 13	WAR RATION STAMP 11	WAR RATION STAMP 9	WAR RATION STAMP 7	WAR RATION STAMP 5	WAR RATION STAMP 3	WAR RATION STAMP 1

UNITED STATES OF AMERICA

War Ration Book One

WARNING

1 Punishments ranging as high as *Ten Years' Imprisonment or $10,000 Fine, or Both,* may be imposed under United States Statutes for violations thereof arising out of infractions of Rationing Orders and Regulations.

2 This book must not be transferred. It must be held and used only by or on behalf of the person to whom it has been issued, and anyone presenting it thereby represents to the Office of Price Administration, an agency of the United States Government, that it is being so held and so used. For any misuse of this book it may be taken from the holder by the Office of Price Administration.

3 In the event either of the departure from the United States of the person to whom this book is issued, or his or her death, the book must be surrendered in accordance with the Regulations.

4 Any person finding a lost book must deliver it promptly to the nearest Ration Board.

OFFICE OF PRICE ADMINISTRATION

No. 438948 -344

FOLD BACK + FOLD BACK

Certificate of Registrar

This is to Certify that pursuant to the Rationing Orders and Regulations administered by the OFFICE OF PRICE ADMINISTRATION, an agency of the United States Government,

(Name, Address, and Description of person to whom the book is issued:)

Mertz (Last name) Beatrice (First name) (Middle name)

317 (Street No. or P. O. Box No.) East 54 Street (Street or R. F. D.)

New York (City or town) New York (County) New York (State)

FOLD UP

5 ft. 8 in. (Height) 140 lbs. (Weight) Blue (Color of eyes) Blond (Color of hair) 22 yrs. (Age) Sex {Male ☐ Female ☒}

has been issued the attached War Ration Stamps this 6 day of May, 1942, upon the basis of an application signed by himself ☐, herself ☐, or on his or her behalf by his or her husband ☐, wife ☐, father ☒, mother ☐, exception ☐. (*Check one.*)

Harriet C. Rogers (Signature)
(Registrar)

Local Board No. M-1-4-7 County New York State New York

Stamps must not be detached except in the presence of the retailer, his employee, or person authorized by him to make delivery.

28	26	24	22	20	18	16	14	12	10	8	6	4	2		
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WAR RATION STAMP

The Stamps contained in this Book are valid only after the lawful holder of this Book has signed the certificate below, and are void if detached contrary to the Regulations. (A father, mother, or guardian may sign the name of a person under 18.) In case of questions, difficulties, or complaints, consult your local Ration Board.

Certificate of Book Holder

I, *the undersigned,* do hereby certify that I have observed all the conditions and regulations governing the issuance of this War Ration Book; that the "Description of Book Holder" contained herein is correct; that an application for issuance of this book has been duly made by me or on my behalf; and that the statements contained in said application are true to the best of my knowledge and belief.

[Book Holder's Own Name]

(Signature of, or on behalf of, Book Holder)

Any person signing on behalf of Book Holder must sign his or her own name below and indicate relationship to Book Holder

(Father, Mother, or Guardian)

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OPA Form No. R-602

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

TCC:EMW:E

146-28-101

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

DATE: November 11, 1943

TO: THE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

FROM: Tom C. Clark, Assistant Attorney General, Criminal Division.

SUBJECT: KURT MERTIG
New York City, New York

Further reference is made to your memorandum of September 10, 1943, concerning the above-named subject. The Criminal Division is of the opinion that among other things consideration should be given to the cancellation of this subject's citizenship. It is believed, however, that further investigation is required before such action is taken. The nature and extent of subject's activities in the Citizens' Protective League should be fully developed particularly his connections with the German-American Bund, and other similar organizations in New York. It should be determined whether the League advertised its meetings in the German-American Bund newspaper, the Weckruf.

In your report of July 22, 1942, mention is made of the Edmonsten Bulletin. On page 2 the subject is alleged to have distributed the Bulletin at meetings of the Christian Front and the American Nationalist Party. If possible, copies of these Bulletins should be secured and it should be established that the subject distributed them. On the same page reference is made to a meeting sponsored by the subject at Yorkville in March of 1942. It should be determined what part the subject played in this meeting and whether he made any speeches and the nature of such speeches. Confidential Informant No. [redacted] says that the subject tried to bring Nazi influences into the German Literary Society. The Informant should be contacted to find out what Mertig did and said in this regard. Additional information should be obtained, if possible, with respect to the subject's activities in the Committee for 500 and in the Geselschaft Fur Literatur. On page 5 it appears that the subject had some dealing with Willie Luedtke. It is suggested that Luedtke be contacted to determine whether he can furnish any information on this subject. On page 14 reference is made to a wire sent by Mertig to Congressman Dickstein in

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March of 1937 protesting the investigation of fascism. A copy of this wire should be secured and its contents should be included in this report. Reference is made in the report to subject's connections with Dr. Griebel. It is thought that Katherine Moog might be able to furnish information in that regard. On page 4 C. K. Froehlich, 565 Fifth Avenue, New York City is mentioned as a person for whom the subject distributed German literature. Froehlich might furnish information about the literature and where and if subject distributed it.

On page 1 of your report of September 16, 1942, it appears that Albert Kieseler said that the subject was appointed head of the Nazi party in the United States and that the subject has long been associated with the National Socialist movement. Kiesler should be recontacted and questioned carefully concerning the activities of the subject, particularly as to when such activities started and what he did and said in furtherance of the National Socialist cause.

It appears that numerous people were interviewed regarding the subject's activities in connection with the repatriation program. It is suggested that those mentioned in your report of February 26, 1943, who spoke with the subject be recontacted to determine whether the subject said anything to them with regard to the war or the present government in Germany or the United States. A signed statement should be obtained from Dr. Joseph Boardman, page 13, containing the remarks which the subject made concerning Germany and Hitler. Dr. Boardman should also be questioned to determine whether any other person heard these remarks by the subject. A similar statement should be obtained from Mr. John Lamb, who is mentioned on p. 13. He should be asked whether he found any additional instances of the subject's speeches before Father Divine's organization. It is thought that Father Divine might be able to furnish some information concerning the subject.

All of the Confidential Informants should be recontacted to determine whether they can furnish any statements, acts, or writings by the subject which would indicate his allegiance to Germany or disloyalty to this country. It should be ascertained whether the persons who furnished information regarding him are willing to testify against him in the event that denaturalization proceedings are brought against him.

WKH:IS
65-20553-83
11/23/43

MEMORANDUM FOR MR. TOM C. CLARK
ASSISTANT ATTORNEY GENERAL

Attention: Mr. James M. McInerney

RE: KURT MERTIG

Further reference is made to previous communications concerning the three ration books located some time ago on subject's premises, issued in the names of Ida, Beatrice and Patricia Mertig.

For your information and assistance in this connection and pursuant to your previous request, I am enclosing a photostatic copy of each of these ration books, the originals of which were returned to Mertig at his request some time ago.

As you will note, at least at the time these ration books were returned, no stamps apparently had been detached therefrom.

Very truly yours,

John Edgar Hoover
Director

Enclosure

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11-18-43
65-20553-85

MEMORANDUM FOR MR. EDWARD J. ENNIS
DIRECTOR, ALIEN ENEMY CONTROL UNIT

Re: KURT MERTIG

Reference is made to my numerous previous memoranda to the Department concerning the above-captioned individual who, as you will recall, has refused to comply with an Individual Exclusion Order served against him some time ago in New York City.

I have now been advised that the Military authorities in July, 1943, specifically requested that Mertig be prosecuted under Public Law Number 503 for his failure to comply with the Individual Exclusion Order issued against him. I have been advised further that the Department, in response to this request, addressed a communication to the Military authorities advising that subject's case was being considered for prosecution and that the Military authorities would be informed of what action the Department intended to take.

In view of the Bureau's interest in the above-captioned individual and the presently pending Bureau investigation concerning him, it would be appreciated if you would advise me of any decision reached concerning the possible prosecution of Mertig under Public Law Number 503.

In view of the interest in this case of the Criminal Division, a copy of this memorandum is being designated for Assistant Attorney General Tom C. Clark.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

Very truly yours,

John Edgar Hoover
Director

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DATE 2/4/81 BY SP-1 (SK) [illegible]
SP-1 (SK) [illegible]

cc - Assistant Attorney General Tom C. Clark

Federal Bureau of Investigation

United States Department of Justice
NEW YORK, NEW YORK

WHN:JB
100-16314

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP-1 GSK/BJA/RLS

November 4th, 1943

Director, FBI

RE: KURT MERTIG
INTERNAL SECURITY (G)
DENATURALIZATION PROCEEDINGS
REGISTRATION ACT
SEDITION

Dear Sir:

Reference is made to your letter in this matter dated October 14th, 1943, in which you requested that an attempt be made to discreetly discuss this matter with the Military Intelligence Service for the purpose of ascertaining whether or not the military authorities intended to request the U. S. Attorney's office to prosecute the subject in this case for failure to comply with the Individual Exclusion Order issued against him.

This is to advise that it has been discreetly determined that the Assistant Secretary of War, JOHN J. McCLOY sent a letter to the Attorney General, dated July 16th, 1943, in which he specifically requested the Attorney General's office to prosecute the subject under Public Law #503 for failure to comply with the Individual Exclusion Order issued against him.

By a letter dated July 21st, 1943, signed by EDWARD J. ENNIS, Assistant Attorney General, the Military Intelligence Service was advised that the subject's case was being considered for prosecution and the military authorities would be advised as to what action the Department of Justice was going to take. This is the last communication the Military Intelligence Service has received from the Attorney General's office.

It is suggested that the Bureau discuss this matter with the appropriate representative of the Attorney General's office, in an effort to determine what action the Attorney General's office intends to take in this matter.

With reference to the undeveloped leads in this case, this is to advise that the matter is presently under investigation and a report will be submitted in the near future.

Very truly yours,

E. E. Conroy

E. E. CONROY,
SAC

Op. 13

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT NEW YORK, N.Y. NY FILE NO. 100-16314 PAS

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
NEW YORK CITY	11/27/43	11/2,4,13/43	WALTER H. NELSON

TITLE	CHARACTER OF CASE
KURT MERTIG	SECURITY MATTER-G DENATURALIZATION PROCEEDINGS-G REGISTRATION ACT, SEDITION

SYNOPSIS OF FACTS: ERNEST KERKHOFF, spokesman for interned aliens at Ellis Island advised he does not believe subject has any connection with German Government or Swiss Consulate. Stated subject places any German name on repatriation list if desired, regardless of affiliation with N.S.D.A.P. LOUISE KRAUSS interviewed but claims no knowledge of subject's business associates. MARIE KERLING not available for interview.

- P -

DEFERRED RECORDING

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/4/81 BY SP-1 ES/480A/RLS

REFERENCE: Report of Special Agent CLEMENT A[illegible]IEN dated October 2, 1943 at New York, [illegible]

DETAILS: At New York, N. Y.

ERNEST KERKHOFF was interviewed at Ellis Island in reference to any connection he may have had with the subject concerning his (KERKHOFF's) possible repatriation to Germany and any knowledge he may have had concerning subject[illegible]tions with the Swiss Consulate and the Nazi Par[illegible] United States.

[illegible] be [illegible] here that KERKHOFF is presently interned as an enemy alien, having been denaturalized in

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65-[illegible]-86 RECORDED

28 NOV 29 1943 INDEXED

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1 - Capt. Constant, D.of I. 2SC
3 - New York

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[illegible] AUG 22 1960

in 1942. He is presently recognized as the official spokesman of all interned aliens at Ellis Island. KERKHOFF stated that he did not request that his name be placed on the repatriation list kept by the subject, but that it was placed there by a friend who simply advised KERKHOFF that he could get him on a repatriation list and KERKHOFF assented to this.

However, KERKHOFF stated that he did not put any faith in the subject's ability to effect the repatriation of any German and simply assented to the placing of his name on the list because his friend had suggested it.

Furthermore, KERKHOFF stated that although he does not know the subject very well, he has come in contact with many people who have had dealings with the subject and thus he, KERKHOFF, feels that he is in a position to comment on the subject's business connections. It is to be remembered here that KERKHOFF has been at Ellis Island for approximately 18 months and during this time, he has served as friend and spokesman for all of the enemy aliens interned there.

He stated that many of these internees have told him of their dealings with the subject, but in all instances, by his interrogation, he has determined that the subject has been able to do nothing further than place the names of persons on his "repatriation list" and then write to the Swiss Consulate, advising them of the fact that the particular persons, whose names have been placed on his list, desired to be repatriated to Germany. However, in no instance, to the best of KERKHOFF's knowledge, has the subject been able to actually effect the repatriation of any German in the United States.

In addition, KERKHOFF stated that he knows of at least two instances of internees at Ellis Island whose names were placed on the subject's repatriation list unknown to them. KERKHOFF advised that he believes this has happened in certain instances where an over-enthusiastic Germany who knows the subject, has included the names of friends when requesting that the subject place his particular name on the repatriation list.

From all [illegible] facts, KERKHOFF has deduced that the subject has no official c[illegible] the German Government or the Swiss Consulate.

In [illegible]ition, KERKHOFF stated he remembers the subject not so many years ago, when he was selling newspapers on the street corners in Yorkville. He stated he was a shabbily dressed individual who could never hold a job because he was too lazy to do so. The subject always impressed KERKHOFF as a man who was attempting to find a soft job where he could impress people and not have to work too hard.

Although KERKHOFF has always resided in and about the vicinity of Yorkville while in New York City, and although he has many friends among the

German Americans in Yorkville, he stated he has never been advised nor has he ever heard that the subject is or was a member of the Nazi Party in the United States.

In conclusion, KERKHOFF stated that he and the internees at Ellis Island have come to consider the subject and his efforts at repatriation with a certain amount of amusement because they now know that in no instance has he been able to effect the repatriation of any German in the United States. KERKHOFF added that he does not believe many, if any, of the German aliens at Ellis Island have ever paid the subject any consideration for his efforts in their behalf.

Mrs. LOUISE KRAUSS, 303 E. 83rd Street, New York City, advised that her name was placed upon the subject's repatriation list in the following manner.

Her husband is a painter by trade and while engaged in his vocation, a fellow painter, and a friend who has since returned to Germany, advised her husband that he knew a man by the name of KURT MERTIG, the subject, that he was attempting to help in the repatriation of germans in the United States. He encouraged Mr. KRAUSS to visit MERTIG and discuss his possible repatriation and thus it came about that Mrs. LOUISE KRAUSS and her husband went to MERTIG with their friend.

They met MERTIG for the first time early in 1941 at which time he placed Mrs. KRAUSS' name on his list and stated he would see if he could effect her repatriation. After this, Mrs. KRAUSS changed her mind about going back to Germany and advised the subject of this. Mrs. KRAUSS stated that these are the only two times that she spoke with MERTIG and she added she had never heard anything about the subject or his background from any of her friends. She stated she did not pay the subject for his efforts in her behalf because when she mentioned monetary consideration, he stated that he never accepted any money from his German friends.

Mrs. KRAUSS advised her reason for wanting to return to Germany was due to the fact that she has been in ill health and wanted to go there for a rest cure.

Inquiry at the [illegible]gration and Naturalization Service, Ellis Island, New York reveale[illegible] tha[illegible] [illegible]ERLING is no longer interned there, but was sent to an internment camp [illegible] auville, Texas and thus she was unavailable for interview. Furthe[illegible] [illegible]iew of [illegible]e nature of the information set forth, it is not deemed necess[illegible] to have MAR[illegible] [illegible]ERLING interviewed at the present time.

- P E N D I N G -

UNDEVELOPED LEADS

THE NEW YORK FIELD DIVISION

Will keep in touch with the United States Attorney, Southern District of New York as to the desirability of prosecuting the subject both for failure to obey the Exclusion Order issued against him and for violation of the Registration Act.

Will also contact the United States Attorney, Southern District of New York to determine what action is being taken by the Office of Price Administration against the subject.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT NEW YORK, NEW YORK

NY FILE NO. 100-26312 AM

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
NEW YORK, NEW YORK	12/4/43	11/2,3/43	LEO H. FRUTKIN

TITLE	CHARACTER OF CASE
LEONORA ST. GEORGE ROGERS SCHUYLER, with alias; Mrs. Livingston Rowe Schuyler	SECURITY MATTER - G - J - I

SYNOPSIS OF FACTS:

Subject, age approximately 70, born in Florida and is the widow of a minister and college professor. She is a member of the Daughters of the American Revolution and of the Daughters of the Confederacy and has held office in both organizations. During World War I she was Acting Chairman of Red Cross and received a Red Cross decoration. Subject received an award in 1934 for outstanding work in education, philanthrophy and history. She caused to be presented to the Military College of France and England, bronze busts of Robert E. Lee. She sought a Democratic nomination for office in House of Representatives in 1938. In 1938 she referred to Mayor LaGuardia as a Communist Socialist and expressed her lac[illegible]mpathy with the Roosevelt Administration. At a meeting of the Citizens Protective League in Yorkville, N.Y. in March, 1942, she allegedly said Japan was the only civilized nation in the Orient, that China was not civilized and that Japan would have made a garden paradise. Subject also referred to Pope Pius as a Jew and claimed the International Jewish bankers held a mortgage on the Vatican. Members of the Confederacy believed subject probably mentally unbalanced and stated she hated England, Jews, New Dealers Communists and favored Germany and Japan. Subject [illegible] very active in Daughters of the Confederacy and believed loy[illegible] the U.S. by her old associates.

- C -

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EX-37

COPY IN FILE

-2034

DETAILS: Investigation in instant case was predicated upon information received from Mrs. M. C. DONAVAN, 865 First Avenue, New York City, who telephonically advised that the subject, living at 520 West 114th Street, New York, was a prominent woman with high political connections and an impressive background, who was very pro-Fascist in her views and activities. Subject allegedly spoke of the Hitler and Japanese Movements. Mrs. DONAVAN stated that subject had been mentioned in Life magazine in an article entitled "Voice of Defeat" as a prominent Fascist who was attending Fascist meetings in Yorkville, New York.

Mrs. DONOVAN also advised that a chapter of the Daughters of the Confederacy had been named the Schuyler Chapter in honor of subject, but that since the appearance of the article mentioned above in Life magazine, the name of the chapter was being changed.

Who's Who in America for 1940-1941, reflects that LENORA ROGERS SCHUYLER, also known as Mrs. Livingston Rowe Schuyler, was born in Ocala, Florida and was the daughter of Colonel SAMUEL ST. GEORGE ROGERS. Subject was educated at Savannah, Georgia and New York City, and she married Reverend LIVINGSTON ROWE SCHUYLER of New York.

Subject held office in the following organizations:

Chairman	Committee for Revision of Statutes Society of Daughters of the American Revolution - 1913 - 1916
Regent	Manhattan Chapter of the Daughters of the American Revolution 1915 - 1916
Director	Manhattan Chapter of the Daughters of the American Revolution 1915 - 1916
President	International Council of Patriotic Service 1915
President	Washington Headquarters Association, New York 1925 - 1926
Elector	Southern Educational Association Since 1906

President	New York Industrial Education Association for Southern Mountaineers 1937
Vice President	Church Laymen's Association 1937
Chairman	Committee to award the University Prize for Confederate Essays Daughters of the Confederacy 1905 - 1921 ; Since 1931
President	Mary Mildred Sullivan Chapter Daughters of the Confederacy, New York 1915 - 1919
Manager	Peabody Home of New York Since 1904
President	Hospital Musical Association 1913 - 1920
Vice President	New York Southern Women's Patriotic Society Since 1917
Member	Colonial Dames, State of New York
President	New York Division United Daughters of the Confederacy 1920 - 1921
President General	National Society of United Daughters of the Confederacy 1921 - 1923
President	West Point Society for Children of the American Revolution 1927
Member	Women's Committee, Near East Relief 1922 - 1923
Director	Allied Patriotic Society, Inc. 1928

Mrs. SCHUYLER was awarded a Parchment of Distinction by the New York Southern Society in 1934 for the most outstanding work in education, philanthrophy and history by any person from the south living in the north.

The following information was obtained from the files of the New York Times:

Clipping dated June 4, 1926

Referred to the fact that patriotic societies were endorsing the action of the Board of Education in denying the use of the Stuyvesant High School Auditorium for a free speech meeting of the American Civil Liberties Union. The Washington Headquarters Association, founded by the Daughters of the American Revolution, endorsed the Board of Education in a letter written by Mrs. LENORA ROGERS SCHUYLER, its President. This letter attacked the Civil Liberties Union for its attempt to spread among the students "ideas which all true Americans believe are entirely contrary to real, old-fashioned free speech."

Clipping dated January 2, 1931

Reflected that the Reverend LIVINGSTON ROWE SCHUYLER, 520 West 114th Street, New York, Associate Professor of History at City College and Assistant Minister of the Church of the Mediator, died at the age of 62, and left a widow, LENORA ST. GEORGE ROGERS SCHUYLER.

Clipping dated March 3, 1934

Reflected that Mrs. SCHUYLER received a Parchment of Merit from the New York Southern Society which recited that she had served as President General of the United Daughters of the American Revolution and had founded two chapters of that order in New York City. She caused to be presented to the Military College of France, bronze busts of General Robert E. Lee, and another to the Royal Military College in Sandhurst, England.

Clipping d ted August 2, 1938

Reflects [illegible] delegation of women, including Mrs. LENORA SCHUYLER, called on the Rep[illegible]can Committee Chairman to vent their wrath upon him because of a coaliti[illegible] arrangement between the Republican Party

and the American Labor Party. Mrs. SCHUYLER, who was a staunch Democratic, called Mayor LaGuardia a Communist Socialist. She said the Communists have all the key positions in New York. The delegation of women stated that the American Labor Party stands for the New Deal and Communism.

Clipping Dated August 15, 1938

Reflects that Mrs. SCHUYLER announced her candidacy for the House of Representatives from the Nineteenth Congressional District of New York on both the Democratic and Republican tickets. She was said not to be in agreement with all the New Deal measures. Mrs. SCHUYLER also expresse[illegible] ril [illegible] of sympathy with the policies of the Roosevelt administration. [illegible] announcing her candidacy, Mrs. SCHUYLER said she would offer her prospective followers the service of an open mind and long experience in speaking that mind for what she has believed to be the best interests of this country and all of the [illegible] red-in-the-bone patriotic Americans in it.

Clipping dated August 16, 19[illegible]

Reflects that during the first World War the subject was Acting Chairman of a Red Cross Auxiliary and for [illegible]r services in that group received a Red Cross decoration. The clip[illegible]ng further indicated that the subject was running for office because [illegible]e felt that true Americans were needed in Washington, men and wo[illegible] ace the welfare of the country above personal interests and [illegible] he underlying problems of today. It was also indicated tha[illegible] esided with her sister, Mrs. BARBOUR WALKER, a former princi[illegible] ral School for Girls. It was stated that Colonel SAMUEL ST[illegible] of South Carolina, subject's father, was first in command c[illegible] which successfully ended the last seminole war.

Clipping dated De[illegible] 19, 1939

Reflects that in a letter to the New York Herald Tribune, subject denied ever saying that Communism was dead. She stated that she knew the [illegible] composite was true.

[illegible] Magazine, issue of April 13, 1942, contains an article [illegible] which reflects that at a meeting of the Citi-
[illegible] arch 9, 1942 in a hall in Yorkville, New York,
[illegible] rica First" stated "Japan is the only civilized
[illegible] se are not civilized; they have no culture;
[illegible] . If Japan had been given control of China

she would have made China a powerful nation and made a garden paradise out of her. Wherever the Japanese go they transform even barren ground into a garden.

Confidential Informant T-1 advised that Mrs. LENORA ST. GEORGE ROGERS SCHUYLER, whose ancesters had come to America in 1683, was chairman of the Mrs. Simon Baruck University Prize Committee, which under the auspices of the United Daughters of the Confederacy, awarded a bi-annual prize of $1,000 for the essay on the causes of the war between the states. The subject said she had solicited the sum personally from BERNARD BARUCK and boasted about having taken money from a Jewish philanthropist. On May 3, 1943, at her home, Mrs. SCHUYLER had copies of propaganda which she had received from the Nazi Ficht Bund and the German Library of Information.

At a meeting of the Citizens Protective League in Yorkville, New York, Mrs. SCHUYLER was seen telling a group of women that Pope Pius was a Jew and that Pope Pius and the Jews pooled five million dollars to stop Hitler. She claimed that the Pope was selected by the International Jewish bankers who hold a $15,000,000 mortgage on the Vatican.

Confidential Informant T-1 advised that Mrs. SCHUYLER was seen in June, 1939, at a meeting of the "Crusaders for Americanism, Inc," and at a meeting of American Patriots, Inc. T-1 also advised that Mrs. SCHUYLER entertained Colonel EUGENE NELSON SANCTUARY at her home on one occasion.

On Ap[illegible], 1941, at a meeting of the America First committee, at which Charles [illegible]ndbergh was to speak, Mrs. SCHUYLER sat on the platform in an o[illegible]cial capacity. According to T-1, Mrs. SCHUYLER's latest patriotic quirk was the discovery that the Episcopal Church is loaded with Communist and socialist doctrines. Her Church Laymen's Association undertook to fight the Reds on all fronts.

Mrs. M. C. DONAVAN, 865 First Avenue, New York, advised that she has known subject for about five years. The chapter of the United Daughters of the Confederacy to which Mrs. DONAVAN belongs was named after Mrs. SCHUYLER. At that time Mrs. SCHUYLER belonged to it. Mrs. DONAVAN stated that even before the war it seemed to her that the subject hated England, Jews, the New Dealers and Communists, and favored Germany and Japan, but nothing was thought of it then and Mrs. DONAVAN was unable to recall any specific remarks.

Mrs. DONAVAN advised that sometime aroung Pearl Harbor or possibly just before it, Mrs. SCHUYLER tried to give her some literature

the nature of which was not know, and which Mrs. DONAVAN refused. About a year ago Mrs. SCHUYLER said to Mrs. DONAVAN that she wished Roosevelt were dead and that Hitler could do a better job over here.

Mrs. DONAVAN further advised that after the Life Magazine printed the article entitled "Voices of Defeat", Mrs. SCHUYLER denied the truth of that part of the article which referred to her. However, the subject refused to go to the Life Magazine to force them to make a retraction. At that time Mrs. SCHUYLER said that she would be a martyr.

The SCHUYLER Chapter of the Daughters of the Confederacy changed its name to the Robert E. Lee chapter and made Mrs. SCHUYLER feel unwelcome because they did not want her to attend any more. Consequently Mrs. SCHUYLER transferred her membership to the Mary Mildred Sullivan Chapter of the Daughters of the Confederacy.

Mrs. DONAVAN stated that Mrs. SCHUYLER carries a great deal of weight with the various chapters of the Daughters of the Confederacy in New York and that most members do not believe that she is unpatriotic. Mrs. SCHUYLER was recently elected as delegate to represent the New York chapters at a convention to be held at Columbus, Ohio.

Mrs. DONAVAN was of the opinion that Mrs. SCHUYLER had high political connections in Washington, the exact nature of which she did not know.

Mrs. DONAVAN advised that she did not know whether or not the subject is presently engaged in any unAmerican activity. She did volunteer the information that in her opinion the subject is probably mentally unbalanced.

Mrs. A. D. ANDERSON, 390 West End Avenue, New York, President of the Robert E. Lee Chapter of the United Daughters of the Confederacy, advised Special Agent David L. Province and the reporting agent that she has known the subject very well for the last eight years and had seen her at functions of the Daughters of the Confederacy for many years longer than that.

Mrs. ANDERSON recalled that before Pearl Harbor Mrs. SCHUYLER spoke well of the Japanese and said the Chinese were not cultured. She also said that Hitler was a great man. Mrs. ANDERSON was unable to recall additional specific remarks. Before Pearl Harbor the subject passed around at a meeting of the Daughters of the Confederacy, a booklet concerning fifth column activities in the south. This was concerned with an alleged negro menace in the south.

Mrs. ANDERSON stated that she has never heard the subject say anything against the American form of government. She did state, however, that the subject, before the present war in Europe, favored a pact between the United States and Germany and did indicate that she was opposed to the British and to the Chinese.

It was Mrs. ANDERSON's opinion that Mrs. SCHUYLER has acted in a manner which causes one to doubt her sanity and that it was apparent that Mrs. SCHUYLER likes publicity of any kind.

Mrs. ANDERSON pointed out that there are many older members of the United Daughters of the Confederacy who think highly of the subject and refuse to believe that she is unpatriotic. According to Mrs. ANDERSON, the subject hates Communism and is opposed to the New Deal.

Mrs. ANDERSON furnished the following description of the subject:

Age	70 (approximately)
Height	5' 3"
Weight	140 pounds
Hair	Grey
Eyes	Blue (wears glasses)
Build	Medium heavy
Marital status	Widow

- C L O S E D -

NY 100-26312

CONFIDENTIAL INFORMANT

The Confidential Informant mentioned in the report of Special Agent Leo H. Frutkin, dated December 4, 1943 at New York City, is :

T-1 "Under Cover", by
JOHN ROY CARLSON
(George Pagnanelli)

9

RECORDED KCH:DMM
65-20553-86
12/17/43

Date:

To: Mr. Tom C. Clark
Assistant Attorney General

From: J. Edgar Hoover - Director, Federal Bureau of Investigation

Subject: KURT MERTIG

Reference is made to reports and communications in this matter previously directed to the Department. For your further information and consideration in this matter there is attached hereto a copy of the report of Special Walter H. Nelson, dated November 27, 1943, at New York City.

As additional [illegible] information concerning Mertig become available they will be promptly transmitted to you.

Enclosure

cc: Mr. Edward J. Ennis
Director, Alien Enemy Control Unit

U.S. DEPT. OF JUSTICE
RECEIVED READING ROOM
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5 02 PM '43
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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SPRM
GSK/BJH/FMS

548

TOM C. CLARK
ASSISTANT ATTORNEY GENERAL
CRIMINAL DIVISION

Department of Justice
Washington

December 2, 1943

MEMORANDUM FOR THE DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

RE: KURT MERTIG

Thank you for the copy of the memorandum on the above individual which you recently addressed to Mr. Edward J. Ennis, Director of the Alien Enemy Control Unit.

Mr. Ennis and I have discussed this matter and I am directing the prosecution of the case. I plan on personally handling the trial of the matter with Mr. McNally. If you have any suggestions regarding the handling of the prosecution, I will be glad to have them.

TOM C. CLARK
Assistant Attorney General

RECORDED 65-20553-88
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memo Clark 12/18/43 KCH

KCHDMM
65-20553-88
12/18/43

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1 GSK/BJW/RLS

MEMORANDUM FOR MR. TOM C. CLARK
ASSISTANT ATTORNEY GENERAL

RE: KURT MERTIG

Reference is made to your memorandum in the captioned matter dated December 2, 1943, wherein you state that you have talked the case of the captioned individual over with Mr. Ennis of the Department and intend to personally handle the trial of this matter with Mr. McNally of the Southern District of New York.

You will recall having directed memoranda to me in this matter under the dates of October 1 , 1943 and November 11, 1943. In each of these, extensive investigative activity of a variegated nature was requested. At that time no specific theory of prosecution had been arrived at by the Department.

Your memorandum of December 2, 1943, did indicate that some specific and definite theory of prosecution with respect to the case of Kurt Mertig has been arrived at by the Department. It will be appreciated if you will make available to me full details in this connection, in order that any steps which may subsequently be required of this Bureau may be given logical direction. It will further be appreciated if you will advise me at your earliest opportunity whether it is still necessary that all the investigative activity requested in your memoranda of October 13 and November 11, 1943, is still necessary inasmuch as it would appear that some portions of the handling requested in these memoranda would be essential and of value only in the event one particular theory of prosecution was undertaken.

For such value as they may have with regard to your current consideration of the captioned case, I am attaching hereto the following reports in the case of "William George G. Mitchell; Espionage - G." These reports are being forwarded as a consequence of the request made in Item 3 of your memorandum of October 13, 1943:

Report of Special Agent Roswell T. S , dated November 12, 1942, at New Haven, Connecticut.

Report of Special Agent Richard A. Johnson, dated February 16, 1943, at New York City.

Report of Special Agent Michael J. Connolly, dated March 27, 1943, at Newark, New Jersey.

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394

andum for Mr. Clark

For your information, a review of the Bureau's files at this time does not reflect any report such as the one described therein by you made by Special Agent C. R. MacInnes.

With reference to Item 6 in your memorandum of October 13, 1945, there are attached hereto the following reports on Carl Hochreuther:

Report of Special Agent P. B. Deachum, Jr., dated December 10, 1940, at Albany, New York.

Report of Special Agent M. M. Cumsins, dated May 9, 1941, at New York City.

The Bureau files fail to reflect any reports available concerning Bauman.

Very truly yours,

John Edgar Hoover
Director

Enclosures

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

TCC:JJM:LLD

146-28-101

DEPARTMENT OF JUSTICE
WASHINGTON 25, D. C.

January 8, 1944

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

Re: Kurt Mertig

Reference is made to your memorandum of December 21, 1943.

You are advised that no definite theory of prosecution has been determined in this case, but attorneys in the Criminal Division are analyzing all of the facts presently available with a view to developing a suitable basis for proceeding against Mertig.

It is noted that in his hearing before the Exclusion Hearing Board, subject was asked, "Have you had any contacts with any officials of the German Government?" He replied "I have not been at the German Consulate since about 1936. I never had any contact with any German official since 1936. I went to Washington in September, 1941, because the German Consulate was closed, and I asked for advice on an inheritance matter. That is the only contact which I had with the German Embassy." However, in its "Findings" the Board stated "That subject was acquainted with Consul Freidhelm Draeger and his secretary, Vogel, Consul Hans Borchers, and went often to the German Consulate to discuss matters with them." No dates are given.

For the purpose of possibly ascertaining the falsity of the subject's statement on this point, it is requested that Miss Lillie Illian interned at the Immigration and Naturalization Station, Gloucester City, New Jersey, and any other available former employees of the German Consulate be interviewed and interrogated particularly as to their knowledge of any visits made by the subject, his relations with and activities on behalf of the German Consulate at New York City subsequent to 1936.

This case is being given expeditious attention, and when a decision is reached, or it is decided that further

FOR VICTORY
BUY
UNITED STATES
WAR
BONDS
AND
STAMPS

ack to NYC
cc - Newark
Albany
1/22/44
WKH

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109

165-20553-89
F B I
35 JAN 11 1944
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investigation in addition to that already requested is desired, the Bureau will be promptly advised.

Respectfully,

Tom C. Clark

TOM C. CLARK
Assistant Attorney General

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TCC-JJM-BGL 146-28-101

TO : THE DIRECTOR, Federal Bureau of Investigation. DATE: February 3, 1944

FROM : TOM C. CLARK, Asst. Attorney General, Criminal Division.

SUBJECT: KURT MERTIG.

Reference is made to your memorandum of January 26, 1944.

In view of the information contained in your memorandum, you are advised that the Criminal Division will abide by your judgment as to the appropriate time at which Miss Lilly Illian should be interviewed.

65-20553-90

FEB 9 1944

WKH:IS
65-20553-89

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HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1 GSK/BJA/RLS

January 22, 1944

RECORDED

SAC, New York

RE: K RT MERTIG, with aliases,
TERNAL SECURITY - G
NATURALIZATION PROCEEDINGS
GISTRATION ACT
FER FIVE-IS

Dear Sir:

Further reference is made to previous communications to your office concerning the pending investigation of Kurt Mertig. For your information and assistance in this connection there are set out below pertinent portions of a memorandum dated January 8, 1944, received by the Bureau from the Criminal Division of the Department of Justice:

"You are advised that no definite theory of prosecution has been determined in this case, but attorneys in the Criminal Division are analyzing all of the facts presently available with a view to developing a suitable basis for proceeding against Mertig.

"It is noted that in his hearing before the Exclusion Hearing Board, subject was asked, 'Have you had any contacts with any officials of the German government?' He replied 'I have not been at the German Consulate since about 1936. I never had any contact with any German official since 1936. I went to Washington in September, 1941, because the German Consulate was closed, and I asked for advice on an inheritance matter. That is the only contact which I had with the German Embassy.' However, in its 'Findings' the Board stated 'That subject was acquainted with Consul Freidhelm Draeger and his secretary, Vogel, Consul Hans Borchers, and went often to the German Consulate to discuss matters with them.' No dates are given.

"For the purpose of possibly ascertaining the falsity of the subject's statement on this point, it is requested that Miss Lillie Illie nterned at the Immigration and Naturalization Station, Gloucester City, New Jersey, and any other available former employees of the German Consulate be interviewed and interrogated particularly as to their knowledge of any visits made by the subject, his relations with and activities on behalf of the German Consulate at New York City subsequent to 1936.

"This case is being given expeditious attention, and when a decision is reached, or it is decided that further investigation in addition to that already requested is desired, the Bureau will be promptly advised."

With regard to the request for further investigation contained in the Departmental memorandum of January 8, 1944, the New York Office is instructed to appropriately interv the presently available former employees of the New York German Consulate, with particular regard to any knowledge they may possess of connections or contacts between Mertig and the Consulate.

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RECORDED 65-20553-89
1/22/44

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1 GSK/[illegible]

MEMORANDUM FOR MR. TOM C. CLARK
ASSISTANT ATTORNEY GENERAL

RE: KURT MERTIG

Reference is made to your memorandum to this Bureau dated January 8, 1944, in the above-captioned case, requesting that former employees of the New York German Consulate be interviewed for the purpose of establishing any contact or connection between Kurt Mertig and the New York German Consulate. Available former employees of the New York [illegible] Consulate will be interviewed in this connection as soon as [illegible] and the results of these interviews will be made available [illegible] immediately upon receipt.

It is noted also that in your reference memorandum you request that Miss Lilly [illegible] secretary of the New York German Consulate presently interned at [illegible] migration and Naturalization Station at Gloucester City, New [illegible]y, be interviewed concerning this matter. In connection with Illi[illegible] specific reference is made to the information [illegible]viously furnished [illegible] you with regard to the case entitled "Auslandsorganisation der N.S.D.A.P. (Foreign Organization of the National Socialist German Workers Party or Nazi Party)", prosecution in which is presently being considered by the Criminal Division. As you will recall, Illian was interviewed at length by Bureau Agents and a representative of the United States [illegible]ey's office at Newark, New Jersey, concerning her knowledge of the activities of the Nazi Party and the members thereof in the United States. Your attention is directed to [illegible]e fact that at this time, as a result of the interview with her, I[illegible]ian exhibited great nervousness and mental strain, and the question [illegible] raised concerning the advisability of contacting her too frequently in view of the apparent results thereof.

In view of these factors it appears possible that an interview with Illian at this time might prejudice her use as a witness in the case entitled "Auslandsorganisation der N.S.D.A.P. (Foreign Organization of the National Socialist German Workers Party or Nazi Party). Because of the importance of Illian as a prospective key witness in the N.S.D.A.P. case, it is believed that any interview with her concerning Mertig should be postponed, at least until such time as a definite determination is made as to the prosecution of the N.S.D.A.P. case. It will be appreciated if you will advise me if you desire Illian to be interviewed at the present time or if you desire that this interview be postponed as above suggested.

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Harbo
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Mumford
Starke
Quinn Tamm
Nease
Gandy

Very truly yours,

John Edgar Hoover
Director

SAC, New York

The Albany Office is instructed to appropriately interview Otto Borsdorf, former receptionist at the New York German Consulate, concerning any knowledge he may possess of Mertig, particularly Mertig's connections or contacts with the Consulate.

Copies of this letter are being sent to the Newark Office in view of the Departmental request that Miss Illian, former Consulate secretary presently interned at the Immigration and Naturalization Station at Gloucester City, New Jersey, be interviewed concerning Mertig. Specific attention is directed to the fact that Miss Illian was recently questioned at length in connection with the case entitled "Auslandsorganisation der N.S.D.A.P. (Foreign Organization of the National Socialist German Workers Party or Nazi Party)", at which time she exhibited great nervousness and appeared to be considerably upset. It will also be recalled that at this time some question was raised as to Illian's attitude toward testifying in her nervous condition. In view of these factors it is not desired that Illian be interviewed at the present time.

Very truly yours,

John Edgar Hoover
Director

CC: Newark
Albany

WKH:eh
2-19-44

Mr. Tom C. Clark, Assistant Attorney General
Attention: Mr. James M. McInerney
J. Edgar Hoover - Director, Federal Bureau of Investigation

KURT MERTIG

Further reference is made to my memorandum to you dated November 23, 1943, enclosing photostatic copies of each of three Office of Price Administration ration books issued in the names of Ida, Beatrice, and Patricia Mertig, the originals of which were procured, as you will recall, pursuant to a search of the premises of the above subject.

It will be appreciated if you will advise me whether or not, in connection with the above investigation, you consider it desirable to make further attempts to again procure the originals of these ration books.

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2/5/81

-20555-91
FEB 3 1944

Federal Bureau of Investigation
United States Department of Justice
New York 7, New York

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1 (SK) (BJO)/ALS

WHN: SMD
100-16314

February 26, 1944

Director, FB

Re: KURT MERTIG
SECURITY MATTER - G
DENATURALIZATION PROCEEDINGS - G
REGISTRATION ACT
SEDITION

Dear Sir:

Reference is made to the enclosed report of Special Agent Walter H. Nelson in the above captioned matter, dated February 26, 1944 at New York City.

This is to advise that the records of Confidential Informant [redacted], whose identity is known to the Bureau, contained little information concerning the subject. However, a memorandum was found concerning the subject, initi[illegible] by Dr. DRAEGER, which indicated that an employee of the German Cons[illegible] in New York City was sent to a meeting of the "Citizens Protect[illegible] League, conducted by the subject, with the apparent instructions to [illegible]ate the subject's ability.

The co[illegible]s contained in th[illegible] memorandum indicated that the German Consulate did not have a very complimentary opinion of the subject and stated that the subject's ability was such that he would best fit into the position of a grocery clerk in a backwoods store.

Although a diligent search was made for any other references to the subject, none were found.

Very truly yours,

E.E. Conroy 65-20553-92

E.E. CONROY

Memo to Tom C. Clark 2/13/44

Enc. - 5

ENCL 11 Bu. 25 Op. 21

RECORDED & INDEXED

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25 MAR 2 1944

FOR VICTORY BUY UNITED STATES WAR BONDS AND STAMPS

~~CONFIDENTIAL~~

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT NEW YORK, N.Y.

NY FILE NO. 100-16314 SMD

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
NEW YORK, NEW YORK	FEB 26 1944	12/3,4/43; 1/7/44	WALTER H. NELSON

TITLE	CHARACTER OF CASE
KURT MERTIG	SECURITY MATTER - G DENATURALIZATION PROCEEDINGS-G REGISTRATION ACT ~~SEDITION~~

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE~~

SYNOPSIS OF FACTS:

USA, SDNY advised OPA decided subject's violation so technical and minor that they would not recommned enforcement action without the presentation of additional factual evidence. USA, SDNY also advised he would not prosecute subject for violation of Public Law 503. Army Exclusion Board amended exclusion order from entire eastern military area to specific counties within this area. FCC advised monitoring in subject's neighborhood proved negative. Confidential Informant advised he never heard of subject's connection with HARDT PRESS.

cc-John C. Clark
Ans
SG-2
3/15/44
WHH

CLASS. REASON-FCIM, 1-2.4.2.2.3 DATE OF REVIEW 2/5/91 SG-7 GSIC/RSM/RJ 2/5/81

- P -

REFERENCE:

Report of Special Agent Walter H. Nelson
date 7, 1943 at New York City.
Bure New York dated November 20, 1943
New York dated January 22, 1944

DETAILS:

Mr. James B. M. McNally, United States Attorney, Southern District of New York, advised that he had referred the matter of the subject's violation of the rules of the Office of Price Administration to the investigative division of that organization and they, after due consideration, submitted a memorandum which in substance stated that the

APPROVED AND FORWARDED [signature] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

65-20553-92 RECORDED & INDEXED

COPIES OF THIS REPORT

(5) - Bureau
1 - USA, SDNY
1 - Capt. Wm. B. Howe, DIO, 3 N.D.
1 - Col. S.V. Constant, D. of I., 2 S.C.
3 - New York

~~CONFIDENTIAL~~

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COPIES DESTROYED
25 AUG 22 1960

subject's violation was so technical and minor that they would not recommend enforcement action without the presentation of additional factual evidence.

Mr. McNALLY also advised that he did not intend to prosecute the subject for the violation of Public Law 503, that is, the subject's failure to obey the Army Exclusion Order, at the present time. Mr. McNALLY advised that in view of a recent decision in the District Court of the United States in the District of Massachusetts involving one MAXIMILLIAN FRANZ JOSEF EBEL, he did not believe it judicious to attempt to prosecute the subject under Public Law 503 at the present time.

On December 28, 1943 the Army Exclusion Board for the Eastern Defense Command issued an amendment to the subject's individual exclusion order. In effect this amendment limited the exclusion order to specific counties within the eastern military area. It is to be noted that the original exclusion order prohibited the subject's presence in the entire eastern military area.

Mr. DE LA FLEUR of the Federal Communications Commission, contacted the writer concerning the subject and advised that they had received information to the effect that the subject was in possession of a large steel cabineted short-wave radio. This matter has been made a matter of record in a previous report. Mr. DE LA FLEUR advised that monitoring in the subject's neighborhood for a reasonable length of time failed to indicate that the subject was transmitting any short-wave messages. He added that this did not indicate whether not the subject was tuning in on his short-wave radio for messages from Germany.

Confidential Informant [redacted] whose identity is known to the Bureau, advised that he never heard of the subject's being connected with the HARDT PRESS which was a subsidiary of the Trans-Ocean News Service. He recalled that the HARDT PRESS had an everchanging personnel due to the fact that they apparently never got paid and could not afford to maintain their connections with this publishing company.

b7D

Confidential Informant [redacted] pointed out the HARDT PRESS, as a regular subscriber to the Trans-Ocean News Service, was entitled to receive news items from Germany. When these news items were coming in from Germany they were generally printed verbatim in the publication of the HARDT PRESS. However, after the war began in Europe the news items

from Germany were often intercepted by the British and thus the subscribers to the Trans-Ocean News Service were in a position in which they might not receive the service they had paid for. To amend this situation the Trans-Ocean News Service, by order of MANFRED ZAPP, had its own writers in New York City prepare news articles for the subscribers. Thus it was that both ZAPP and some of the other employees of Trans-Ocean News Service contributed articles which appeared in the publications of the HARDT PRESS. (U)

Confidential Informant [redacted] also stated that he was certain that the relation of HARDT PRESS to the Trans-Ocean News Service was simply a contractual one as that of a subscriber and that the HARDT PRESS was in no way subsidized by the Trans-Ocean News Service. In addition he indicated that after the records of Trans-Ocean News Service were submitted in September of 1940 there was no connection whatsoever between the HARDT PRESS and Trans-Ocean News Service.

b7D

Confidential Informants T-1 and T-2 were contacted concerning any knowledge they might have of the subject with negative results.

AT NEW ROCHELLE, N.Y.

Investigation by Special Agent Herbert B. Grant of the New York office revealed the fact that JOHN SCHRANNER of 42 Park Place, New Rochelle, N.Y., is presently interned as an alien enemy at Crystal City, Texas. This investigation also revealed that Mrs. THERESA SCHUHWERK is interned at Crystal City, Texas. It is to be noted that both of these interned alien enemies were on the subject's repatriation list.

- P E N D I N G -

CONFIDENTIAL

NY 100-16314

UNDEVELOPED LEADS

NEW YORK FIELD DIVISION:

At New York, N.Y. - Will keep in touch with the United States Attorney, Southern District of New York concerning the possible prosecution of the subject for wi[illegible]sec[illegible]on of the Foreign Agents Registration Act, and will conduct any furtheran C[illegible]stigation necessary thereto.

[illegible]AN, ir
[illegible]cler

CONFIDENTIAL

NY 100-16314

CONFIDENTIAL

CONFIDENTIAL INFORMANTS

The Confidential Informants mentioned in the report of Special Agent Walter H. Nelson, New York City, dated FEB 26 1944 are

T-1 - [redacted] New York City.

b7D

T-2 - [redacted]

CONFIDENTIAL

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Ayers
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy
Files

TO : THE DIRECTOR, Federal Bureau of Investigation

DATE: February 26, 1944.

TCC-JJM-BGL 146-28-101

FROM : TOM C. CLARK, Asst. Attorney General, Criminal Division

SUBJECT: KURT MERTIG.

Reference is made to your memorandum of February 21, 1944.

In reply you are advised that it will not be necessary for the Bureau to make any further effort to procure the originals of the Ration Books referred to in your memorandum. In the event it is necessary to procure them at a later date, the Bureau will be advised.

RECORDED 65-20503-93

(5) W.H. Harvey

Op. 15

Footnotes

(1) Exclusion Order E-96 (2-12), June 7, 1943, amended Dec. 28, 1943, issued by Commanding General, Eastern Defense Command.

(2) Department of Justice File #146-28-101 contains material on Mertig's case.

(3) See Memorandum for the Files, May 25, 1944 - Prospectus - American Trading Co. - Cotton Barter Activities - prepared by H.B. Resnik, War Division, Department of Justice, New York Office.

(4) Treasury regulations effective on that date required that American importers pay an extra duty equivalent to 25% of invoice value on all dutiable imports from Germany, the duty to be refundable upon proof that there had been no bounty or subsidy payment by the German Government.

(5) Photostatic copy of original letter in Files of War Division, Department of Justice, New York Office.

(6) Photostatic copy of invitation in files of War Division, Department of Justice, New York Office.

(7) On September 23, 1937, Dr. Walther Becker, German Vice-Consul, at a meeting of the Board of Trade for German-American Commerce at the Downtown Athletic Club in New York, pointed out that there were certain departures from the correct form of cotton barter which "had given him cause for great apprehension". Becker delcared that if the customs authorities should find a single transaction to be not "100% bona fides" and should put countervailing duties on it, "the whole situation might be disrupted". (Letter from a New York trading company to its German correspondent, Sept. 28, 1937.)

(8) For the preservation of orderly cotton transactions with Germany and the assurance of a continuation of the system so that Germany could get its required materials, a special Cotton Committee was established in New York. Representatives of the German Government took an active part in supervising the activities of this Committee and confidentially advised it of procedures to be followed. (See Confidential Memorandum, May 22, 1944 - [redacted] - RE "Certain Activities of Anderson-Clayton & Co., of Houston, Texas, in Connection with German Barter Transactions", prepared by Harold Ungar, War Division, Department of Justice, N.Y. office.

b7D

(9) The Treasury Department announced the new duty on March 18, 1939, to be effective April 23, 1939.

(10) Letter from a New York trading company to its German correspondent, March 6, 1939.

(11) The Cotton Committee decided that "A committee is going to be elected by the cotton interests and such committee will go down to Washington and discuss with the Senators who are interested in barter deals, what can be done. It was decided that this committee should consist entirely of American firms bearing no relation to anything German." (letter from a New York trading company to its German correspondent, March 6, 1939.)

(12) Kertess was convicted on four indictments, charging conspiracy to ship certain rare metals out of the United States in violation of law. On July 2, 1943, he was sentenced to four consecutive prison terms of 18 months each and fined $1,000 on each indictment.

(13) Circular letter distributed by American Foreign Trade Association, May 16, 1939. An earlier letter dated April 24, 1939, the day after countervailing duties went into effect, said:

> Recent events relating to trade relations with foreign countries, particularly Germany, with the attendant difficulties and uncertainties, necessitated in the opinion of certain importers the formation of a militant organization for the purpose of furthering, protecting, and advancing the interests of all concerned.

It is not known on whose instructions Mertig was acting. It is known that the German Consul in New York was vitally interested in preserving cotton barter transactions (7) and undertook to get the countervailing duty removed through organized pressure.

In March of 1939 Herr von Tannenberg of the German Embassy suggested to a "cotton committee", interested in barter with Germany (8), that it conduct a propaganda and lobbying compaign against the countervailing duty which was about to be put into effect. (9) Addressing the "committee" on March 6, 1939, Tannenberg said:

> It is time to coordinate all interests that are budding in this [illegible] for barter deals wit[illegible] European co[illegible] form- kind [illegible] ch would hire [illegible] or two men [illegible] ry to bring theoretical desires t[illegible]ertain parts of this country for barter deals to be put into practical form, and who would make propaganda in a discreet way with such interests that might be benefited by barter deals with Germany by showing them the advantages on a dollar and cents basis. (10)

The "committee" undertook to follo[illegible] von Tannenberg's suggestion. (11)

Along similar lines, there was also formed on April 23, 1939, the American Foreign Trade Association, 21 West Street, New York City, under the leadership of Dr. F. A. Kertess, who is now serving a six-year prison sentence for violation of U. S. Government export regulations. (12) The purpose of this new association was to "devote all its efforts to the promotion of foreign trade, lefting discriminating and detrimental as well as injurious obstacles, to exporters and importers' businesses.

HOWARD B. RESNIK,
Expert

On April 23, 1939, because subsidies were held to be contrary to the Treasury regulations against dumping, the U.S. Government imposed countervailing duties on German imports. (4) This made it impossible for Germany to obtain needed war supplies through barter. Immediately there sprang into existence in the United States several German-inspired organizations which sought to use pressures to remove the countervailing duties. It was hoped to have cotton growers in the south bring pressure on their Congressional representatives in Washington. The Citizens' Protective League, 1253 Lexington Avenue, New York City, of which Kurt Mertig was the Chairman, was one of those participating pressure groups. Mertig wrote to the American Trading Company on June 8, 1939, as follows:

> Mr. Laub of the Vulcan Yeast Company suggests to ask you to kindly mail the enclosed ten invitations to next Monday night's meeting to as many importers you know and who are affected by the imposition of countervailing duties.
>
> We cannot reach the interested parties in another way. (5)

While it is not known what was discussed at the meeting for which Mertig was issuing invitations, the principal subject was to have been "The Boycott and the New Deal", i.e., countervailing duties.

A printed invitation was headed "Don't Say We Didn't Warn You", after which was the statement:

> The discretion already vested in the President under the Neutrality Act is excessive and dangerous and any enlargement of same such as is sought in some of the pending measures before Congress is too great a trust to be reposed in any man.

In italics and underscored:

> A policy of isolation from Europe's controversies as advocated by George Washington should be urged on every member of Congress.

The invitee was urged to "Please come and obtain free of charge booklet: 'Hitler's Reply to Roosevelt.'" (6)

WKH:IS RECORDED
65-20553-92
3/13/44

Date:

To: Assistant Chief of S
War Department
Attention: Colonel L. R. Forney

BY SPECIAL MESSENGER

From: Edgar Hoover - Director, Federal Bureau of Investigation

Subject: [illegible]

For your further information in connection with the above-captioned case, I am enclosing a copy of the report of Special Agent Walter H. Nelson, dated February 26, [illegible] at New York City.

CC: Director of Naval Intelligence
Navy Department

Enclosure

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1 65K/BOA/RLS

65K/BOA/RLS

RECEIVED READING ROOM
F B I
U.S. DEPT. OF JUSTICE
MAR 13 3 17 PM '44

DECLASSIFIED BY SP-1 CLK/YB
ON 11/15/77

RECORDED
WKH:IS
65-20553-92
3/13/44

arch 1 4 1944

Mr. Tom C. Clark, Assistant Attorney General

J. Edgar Hoover - Director, Federal Bureau of Investigation

KURT MERTIG

For your further assistance and consideration in connection with the above-captioned case, I am enclosing a copy of the report of Special Agent Walter H. Nelson, dated February 26, 1944, at New York City.

In addition to the information con ed in the enclosed report, extensive in ries have been made in an effo develop, if possible, connections between Kurt Mertig and the New York Germ nsulate. In this regard you are advised that information has been received by Bureau from a strictly confidential d reliable informant who was close e affairs of the New York German Co ulate, that Mertig had little recor ontact with the New York German Co ate, although the informant advise at one time an employee of th rman Consulate in New York City was the Consulate to a meeting c e Citizens Protective League, conduc ertig, with apparent instructions to evaluate the subject's abilit highly confidential ormant suggest rther that on the basi this contact the New York German Consulate did no have a very complimentary opinion of Mertig.

Your specific attention is directed to the statement contained in the penultimate paragraph on page 3 of the enclosed report that Confidential Informants T-1 and T-2 were contacted concerning any knowledge they might have of subject Mertig with negative results. Confidential Informants T-1 and T-2 are both rmer ees of the New York German Consulate.

INFORMATION CONTAINED
REIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1 GSP/BOA/RG

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR, Federal Bureau of Investigation, DATE: March 9, 1944.
TCC-JJM-BGL
FROM : TOM C. CLARK, Asst. Attorney General, Criminal Div. 146-28-101

SUBJECT: KURT MERTIG.

Reference is made to our memorandum of January 8, 1944, and to your memorandum to the Criminal Division dated January 26, 1944, concerning the above subject.

In our memorandum of January 8, 1944, it was requested that the Bureau interview any available former employees of the German Consulate and interrogate them as to their knowledge of any visits made by the subject, his relations with and activities on behalf of the German Consulate in New York City subsequent to 1936.

It would be appreciated if the Bureau would make available to the Criminal Division the results of any investigation made to date regarding the above inquiry.

[redacted]

RECORDED

94

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

FROM : J. K. MUMFORD

SUBJECT: KURT MERTIG

DATE: June 8, 1944
JKM:PES

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Mohr
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Jones
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

Attached hereto is a memorandum dated June 6, 1944, prepared by the Economic Warfare Section, War Division of the Department, which was handed to me today by Mr. Sims Carter of that Unit. He stated this was prepared for the FBI in view of his knowledge that we were interested in Mertig.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1 GSK/BJA/RLS

Attachment

RECORDED
INDEXED 65-20

95

JUN 20 1944

14th Floor, 30 Broad St.
New York 4, New York

60-C-28 June 6, 1944

MEMORANDUM FOR THE FILES

Re: Certain Activities of Kurt Mertig, Alleged Nazi Agent.

Kurt Mertig, a German by birth, now a naturalized U.S. citizen, has been investigated by the FBI, Military Intelligence, and the Criminal Division of the Department of Justice, in the possibility, among other things, that he was or still is acting as a German agent, in violation of the Foreign Agents Registration Law of 1938. Mertig has a long pro-Nazi record and has refused to obey a military order excluding him from the Eastern Defense area. (1) The Criminal Division of the Department of Justice concluded on April 29, 1944 that it did not have sufficient proof that Mertig is or has been a German agent. (2)

An activity of Mertig's has come to our attention during the course of an examination of the files of the American Trading Company, an export-import house, 96 Wall Street, New York City. These files were examined by the War Division of the Department of Justice in connection with a survey of German pre-war barter transactions relating to the acquisition of critical war materials in the United States. (3) Mertig interested himself in this phase of Germany's effort.

During the years 1937, 1938 and part of 1939, a large amount of trade between Germany and the United States was conducted through "barter". Under this system, American importers, wishing to purchase German goods, first sold to Germany cotton, copper, or other materials designated by Germany as critically needed. The prices paid were, by order of the German Economic Ministry, higher than available on world markets. The proceeds of these sales were paid in blocked marks to special German inland accounts. The American importer of German goods then used these special inland accounts to pay the German exporter.

The effect of this system was to enable Germany to get war materials from this country without using any foreign exchange. The payment of premium prices for the cotton or copper also amounted to a subsidy of German manufacturers and exporters who otherwise could not have met world competition.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12/15/00 BY SP-1 CIK/YB

ENCLOSURE 65-20553-95

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd

DATE: June 29, 1944
RHC:AJ

FROM : R. H. Cunningham

SUBJECT: Kurt Mertig

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Mohr
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Jones
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

Mr. Herman G. Moeller, Bureau of Prisons, called stating that they were handling the mail of the group of individuals presently on trial here in the sedition case. He advised they were interested in one of the correspondents, Kurt Mertig; that this individual indicates in his letters that he has had some associations with them in the past. Kurt Mertig gives his address as 317 East 54th Street, New York City. Mr. Moeller asked if we would furnish him any information we had on Mertig.

I advised him I would have the files checked and furnish him any information we have. He can be reached on extension 1259, Department of Justice.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1
GSK/BJA/RLS

[redacted]

RECORDED

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65-20553-95

RECORDED

SAC, New York July 26, 1944

John Edgar Hoover - Director, Federal Bureau of Investigation

EX-8

KURT MERTIG - [illegible] aliases
INTERNA[illegible] Y - G
DENATU[illegible] PROCEEDINGS; REGISTRATION ACT; SEDITION

For your [illegible]mation and assistance in connection with the above-captioned case, I am enc[illegible] a copy of a memorandum dated June 6, 1944, concerning Kurt Mertig, which was furn[illegible]shed to the Bureau by the Economic Warfare Section, War Division of the Department of [illegible]stice.

It is desired that the per[illegible]nent information contained in this memorandum be incorporated in the next report sub[illegible]ted by your office under appropriate temporary confidential informant symbol. It [illegible] also be carefully reviewed by you and where necessary or advisable made [illegible] subject of additional investigation of Mertig.

Enclosure

[illegible]L INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1 GSK/BOR/DU

JUL 27 9 39 AM '44
RECEIVED READING ROOM
U.S. DEPT. OF JUSTICE

[illegible]olson
[illegible]. A. Tamm
[illegible]legg

COMMUNICATIONS SECTION

#3
20 19

WKH:IS
65-20553-
8/30/44

9

Mr. James V. Bennett, Director
Bureau of Prisons
John Edgar Hoover - Director, Federal Bureau of Investigation

KURT MERTIG

Reference is made to my communication to you dated July 27, 1944, concerning the activities and contacts of Kurt Mertig, requesting as you will recall that I be furnished with any information in your possession concerning Mertig, as well as copies of any correspondence from or to Mertig which you may presently have or may receive. An early reply to my communication will be appreciated.

ALL INFORMATION CONT[illegible]D
HEREIN IS UNCLASSIFIED
DATE [illegible] BY [illegible]

65-20553-97
FEDERAL BUREAU OF INVESTIGATION
2
[illegible] JUSTICE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/5/81 BY SP-1 6818/CJA/RLS

July 21, 1942
WKH'DM

Re: KURT MERTIG Summary

Kurt Mertig was born on Septembe[illegible], 1886 at Leipzig, Germany. He entered the United States at New York City on December 17, 1916 aboard the S.S. Ninas Geraes from Rio de Janeiro, Brazil and became a naturalized United States citizen on January 30, 1931. Numerous allegations were received prior to 1942 with regard to Mertig and the Citizens Protective League, an organization of which for several years Mertig was the Chairman and for all practical purposes its guiding force.

(65-20553-10)

Since 1937, frequent mention has been made of the Citizens Protective League as an organization presumably of German-American membership devoted primarily to the creation of interest in political affairs on the part of its members. Allegedly it has occupied itself particularly with criticism of members of the Jewish race and especially those holding public office. During the past presidential election its Chairman, Mertig, reportedly was active in the Naturalized Citizens Division of the Republican campaign headquarters at New York City. (61-7559-2379; 61-7566-514)

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INDEXED
65-20553-96
FEDERAL BUREAU OF INVESTIGATION
SEP 14 1942
U.S. DEPT. OF JUSTICE

The letterheads of this organization's correspondence indicate that it has maintained offices at 1253 Lexington Avenue, New York City, and according to reports, the group has held regular weekly meetings at the New York Turnhall. The Citizens Protective League has adopted the slogan, "Equal Rights For All," and at times has apparently been referred to as the Citizens Committee of 500. During the early part of 1937, the Citizens Protective League adopted as its perhaps principal objective the reopening of the Lindbergh kidnapping case and an attempt to prove Bruno Hauptmann's innocence. On December 5, 1937, the League sent a formal protest to Governor Hoffman and Colonel Lindbergh demanding that the case be reopened so that Hauptmann's name could be exonerated. Incident to this program the Citizens Protective League reportedly featured a number of speakers at its meetings who in commenting on the Lindbergh case frequently charged that the authorities, and particularly the Department of Justice, had sought to conceal the true facts of the case. Reportedly these individuals frequently embodied in their addresses charges that Hauptmann had been "railroaded" by Jewish interests. Reportedly this program further included distribution of a number of bulletins and handbills which charged government officials with dereliction of duty and concealment of facts. In November, 1937, the League allegedly sponsored circulation of a petition calling for the impeachment of President Roosevelt 61-7566-514; 61-7566-633, Official Organ of German American Bund; 9/27/37; 62-26793-23 Rept. Reynolds *

Several sources have described the Citizens Protective League as being anti-Semitic and pro-Nazi. Repeated mention has been made of the League's frequent attack on various government officials. In March, 1937, it allegedly distributed handbills containing strong criticism of Mayor LaGuardia and charging that he had carried out a [illegible] program of favoritism for the Jewish minority in New York City. These [illegible]lls, it was said, stated that Mayor LaGuardia had discriminated against the population of New York, especially so, inasmuch as he had not invited Germ[illegible] [illegible]esented at the New York World's Fair. (61-7566-429; [redacted] 3/31/37.

b7D

On March 15, 1937, t[illegible]ns Protective League and the Ger[illegible] League reportedl[illegible] [illegible]t meeting at New York City.

61-7566-[illegible]

[illegible]klyn [illegible]

WKH:DM
~~7-22-44~~ 7/27/44
65-20553-96

RECORDED

Mr. James V. Bennett, Director
Bureau of Prisons
John Edgar Hoover - Director, Federal Bureau of Investigation

KURT MERTIG

Pursuant to the telephonic request made to Mr. R. H. Cunningham, of this Bureau, by Mr. Herman G. Moeller, Bureau of Prisons, I am enclosing herewith a brief memorandum summarizing available information regarding Kurt Mertig. In connection with Kurt Mertig you are advised that this Bureau is and has been for some time conducting an extensive investigation of the activities of this individual and I have been advised that at the present time the Criminal Division of the Department of Justice is considering the possibility of prosecuting Mertig. In view of this it will be appreciated if you will make available to me any information in your possession concerning this individual, as well as copies of any correspondence from or to Mertig which you may presently have or which you may receive in the future in connection with this matter.

As a result of the investigation of this individual considerable information has been developed concerning him and if you desire any information in addition to that contained in the enclosed summarized memorandum, I will be happy to furnish you therewith at your request.

Mr. Tolson
Mr. Ellis
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Mohr
Mr. Carson
Mr. Hendon
Mr. Rinaldo
Mr. Jones
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

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HEREIN IS UNCLASSIFIED
DATE 9/15/81

AUG 25 1944

purpose of "protesting anti-Nazi utterances in the United States." This meeting was addressed by Edward James Smythe, who, in the course of his speech, allegedly prophesied an "honest American revolution," followed by the comment, "We are going to take this country back from the Jews." Advisedly, other persons who have frequently been charged as being anti-Semitic were present at this meeting which "nominated President Roosevelt for political destruction." Another principal speaker featured on the program was said to be one L. Rafort who, according to reports, is a former leader of the now defunct Silver Shirts organization of New York. (61-7560-130X)

Several sources have stated that the Citizens Protective League is a part of the pro-Nazi organization in the United States. Others, however, have described it as a "racket" for Mertig who is said to charge a fee of twenty-five cents for all attending the League's meetings. It has been reported that the meetings of the League were in the past frequently attended by German-American Bund members and it is known that advertisements of the League have appeared in the Bund's official organ, the Deutscher Weckruf und Beobachter. Said to be further indicative of the League's alleged connection with German interests, it has been reported that its Chairman, Mertig, is known to have been a frequent visitor at the German Library of Information in New York. (61-7566-429; 61-7566-633; 61-7560-477, Yorkville Advance 12/16/37; 61-7566-3288 Rept. of [redacted] Nov. 1941)

Frequent references have been made to alleged association between the League, Mertig and various persons thought to be Christian Front leaders or adherents. An article, appearing in the December 6, 1939, edition of the New York Times, stated that the Brooklyn Church and Mission Federation (an organization of Protestant congregations in Brooklyn) had described the [illegible] as anti-Semitic and violently Fascist. This article further indicated that [illegible] had charged the Citizens Protective League as being one of the sev[illegible]ncipal organizations of the Christian Front. (61-7559-5977X; 65-33144-2, G-2 R[illegible]t. of Oct. 1941) b7D

Kurt Mertig allegedly entered the United States in January, 1910, and is said to be a naturalized citizen. Reportedly he was formerly employed as a salesman for various New York banking and mercantile concerns and in 1937 allegedly unsuccessfully sought nomination for councilman in New York. An additional report states that in 1937 and 1938 he was the booking agent for a vocal group, from the German ship Bremen, which made occasional appearances in New York. (65-20553-2 NY PD Rept. of June 1940; 61-7560-446)

Mertig has also been mentioned as being the Chairman of a group known as the German-American Republican Federation which, according to one source, is possibly another designation for the Citizens Protective League. It has been alleged that Mertig was formerly closely associated with the German-American Bund and actually did "some type of Nazi organization work" in New York. Further indication of Mertig's activities are reports that he appeared several times before Father Divine's Heavens and that he has been a member of several German-American cultural and literary societies (61-7560-166 Yorkville Advance; 61-7566-1263 Rept. of [redacted] dated 1938; 65-748-484; 65-20553-2) b7D

Mertig's name has often been prominently mentioned in connection with the names of such individuals as Joseph McWilliams, Mrs. Elizabeth Dilling, and Edward James Smythe. Information has been received recently to the effect that he is an almost constant habitue of the Yorkville sector of New York and according to one report he is suspected of being in contact with leading Germans in that area.

 (65-20[illegible]-3 Ws

As a result of the above allegations, an investigation was instituted of the activities of Kurt Mertig. This investigation reflected that in addition to his affiliation with the Citizens Protective League, which held meetings in the Yorkville section of New York City until April 17, 1942, Mertig was also active in numerous German organizations and reportedly was affiliated with the Christian front in New York. The investigation of Mertig reflected without question that he is definitely pro-German and pro-National Socialist in his ideological orientation, and reflected further that he has had numerous contacts with Germans prominently identified with the National Socialist movement in the United States, as well as with various other individuals of pronounced pro-German sympathies. (65-20553)

On October 14, 1942 Agents of the Federal Bureau of Investigation served a subpoena duces tecum on [redacted] at which time various documents and papers in his possession were procured and later examined. When interviewed at this time [redacted] denied membership in various German organizations and vehemently denied being "un-American." However, among the documents taken from [redacted] was located [redacted] b3

When interviewed [redacted] admitted receiving this [redacted] (65-20553-29)

In order to fully evaluate Mertig's connection with the Nazi Party it is necessary to note that for several years prior to the summer of 1941 the Nazi Party in the United States was headed by Dr. Friedhelm Dradger, Consul, New York German Consulate, who under the direct authority of the Foreign Organization of the Nazi Party (Auslandsorganisation der NSDAP) in Berlin held the title of Landeskreisleiter (National District Leader) of the NSDAP in the United States. Subsequent to Dradger's return to Germany in the summer of 1941 aboard the S.S. West Point after the closing of the German and Italian Consulates in the United States, the activities of the Nazi party in the New York area, at least for purposes of the repatriation of Nazi party members to Germany and probably for other purposes, were under the control of Willy Mitchell, during which period Mitchell was very closely associated with Kurt Mertig. (65-20553; 100-25208)

Willy Mitchell was repatriated in Germany in the Spring of 1942 and shortly thereto, according to the information developed by the Bureau's investigation, Mertig turned over his activities in assisting in the repatriation of Nazi party members to Kurt Mertig. Mertig was active in this work for some time and in addition acted as an unofficial liaison representative between the Department of German Interests of the Swiss Consulate in New York City and various Germans in the New York area who desired to be repatriated or who did not desire to serve in the United States Armed Forces.

The investigation conducted of Kurt Mertig reveals that as late as 1933 he was definitely pro-German and pro-National Socialist, both in his statements and in his sympathies and he is known to have been a contact for innumerable Germans in the

New York area since Pearl Harbor. It has been reported that Mertig expects to return to Germany at the close of the present war in order to accept a position procured through the influence of Willy Mitchell as a reward for his service in the United States. (65-20553-35 etc.)

On June 7, 1943 Military authorities directed that Mertig be excluded from the Eastern Defense Command, but to date he has refused to comply with this order and no prosecution as a result of his defiance thereof has been authorized. Shortly after his exclusion Mertig was described by a confidential informant, who in the past has proved extremely reliable, as a principal focal point of all remaining National Socialist activity in New York City. (Confidential Informant [redacted] 65-20553-44) b7D

Recent investigation of Kurt Mertig fails to indicate any change in his sympathies although it is noted that he is no longer as active as formerly and is using considerably more discretion in his expressions of opinion.

(65-20553)

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON 25
September 2, 1944

FOR VICTORY BUY UNITED STATES WAR BONDS AND STAMPS

MEMORANDUM FOR MR. JOHN EDGAR HOOVER

Re: Kurt Mertig

I have your memoranda of July 27 and August 30, 1944, regarding the above named and appreciate the detailed statement provided by your office regarding him.

The correspondence records of the several Federal prisoners now confined in the District of Columbia Jail indicate that Mertig began corresponding with members of the group early in May 1944. He first wrote to Gerhard Kunze, and on May 12 a letter was referred to this office for inspection. It contained an enclosure of $5.00 which Mertig indicated was a gift to Kunze from "Mrs. Peters." On May 12, also there was returned to Mertig a miscellaneous package of food addressed to Kunze. On May 13 a letter from Mertig outlining the contents of the rejected package was transmitted to the jail with an explanatory note from this office. Additional letters addressed to Kunze were inspected on the following dates:

May 15	Advised of sending a second package; enclosed $1.00 (Package was rejected at jail).
May 18	Expressed regret at rejection of packages; enclosed copy of letter of protest to this office.
June 1	Expressed encouragement. Enclosed $10.00 money order.
June 17	Reported items of clothing being forwarded; enclosed $10.00 money order.
June 28	Expressed encouragement at outcome of trial; enclosed $1.00
June 29	Reported mailing of package containing 2 shirts, 1 necktie, 2 handkerchiefs, and 2 pair of drawers.
July 7	Protested refusal of Bureau of Prisons to accept clothing sent to defendants.

Ack - Letr to Nye
memo to Clark
9/13/44
WKH

RECORDED 65-20553-198

EX - 58

Mertig began correspondence with Herman Max Schwinn in June of 1944. Letters were received for inspection on the following dates:

June 12	Extended sympathy to defendants; enclosed $5.00 money order.
June 28	Gave encouragement; enclosed $1.00
July 10	Gave encouragement

He wrote to August Klapprott on two occasions--June 10 and June 28, 1944. In the first instance he enclosed a $5.00 money order. He mentioned that he had once spoken to Klapprott "casually." In the second instance, he offerred to send the prisoner a shirt to wear at the trial.

Mertig also wrote two letters to Robert Noble. These letters were received for inspection on June 28 and June 29, 1944. In the former, he enclosed $1.00 and in the latter, a $5.00 money order.

The enclosures in the various letters were reported by Mertig to have been contributed by friends and well-wishers of the defendants in New York. No correspondence from Mertig to these prisoners has been referred since July 10.

Mertig wrote to this office on four occasions--May 26, June 8, June 21 and July 3, 1944. This correspondence concerned itself primarily with alleged mistreatment of the defendants in the District of Columbia Jail. He urged that the quality of food served at the jail be improved and that the prisoners be given greater opportunity for exercise in the out-of-doors. He protested the policy of the Bureau of Prisons of excluding packages addressed by him to the defendants. This correspondence is available for review by your office if you wish to have it, but because of the nature of its contents we question whether it would be of practical value to you. However, there are no copies of correspondence addressed to the defendants in our file.

JAMES V. BENNETT
Director, Bureau of Prisons

STANDARD FORM NO. 64

Office Mer[illegible]dum • UNITED GOVERNMENT

TO : J. Edgar Hoover, Director, FBI DATE: Sept. 20, 1944

FROM : Mr. James V. Bennett, Director, Bureau of Prisons

SUBJECT: Kurt Mertig

Attached is a copy of a letter addressed to Mertig today, instructing him that no further correspondence with the Federal prisoners now confined in the D. C. Jail will be permitted. This is forwarded for your information and files.

JVBennett

Action necessary

[illegible]DEI

99

260

September 20, 1944

Mr. Kurt Mertig
317 E. 54th Street
New York City, N. Y.

Dear Mr. Mertig:

I am returning herewith seven (7) letters addressed by you to Federal offenders now confined in the District of Columbia Jail. These letters were not forwarded because you indicated in them your intention to send packages to these men contrary to our established policies.

As we indicated in our letter of July 1, authority to transmit items of clothing extends only to persons on approved correspondence lists of these prisoners. None of the men in question has requested that your name be included as an approved correspondent and I must request, therefore, that you direct no further correspondence to them.

I regret that you have apparently misunderstood our policies in this connection.

Very truly yours,

JAMES V. BENNETT
Director, Bureau of Prisons

HGM/smg

99

WKH:IS
65-20553-98

EX-40

SAC, New York September 14, 1944

John Edgar Hoover - Director, Federal Bureau of Investigation

KURT MERTIG, with aliases
INTERNAL SECURITY - G
REGISTRATION ACT; DENATURALIZATION PROCEEDINGS
REFER FIVE-IS

For your further information and assistance in connection with the above-captioned case, I am enclosing herewith two copies of a memorandum dated September 2, 1944, received by the Bureau from the Bureau of Prisons concerning recent activities and contacts of the above-captioned subject.

Enclosure

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP01 GBW/DRR/DD

E. A. Tamm
Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Mohr
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Jones
Mr. Quinn
Mr. Kea
Miss

305

RECORDED
WKH:IS
65-20553-98
9/14/44

Mr. James V. Bennett, Director -
Bureau of Prisons
John Edgar Hoover - Director, Federal Bureau of Investigation

KURT MERTIG

I am in receipt of your memorandum dated September 2, 1944 in the above matter, incorporating the information in your possession concerning Kurt Mertig.

It will be appreciated if you will make available to me any additional information which comes to your attention concerning Mertig in connection with future contacts with the Fede[illegible]soners now confined in the District of Columbia jail.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE [illegible] BY SP-1 GSK/BBA/RLS
2/5/81

SEP 13 5 11 PM '44
RECEIVED READING ROOM
F P I
U.S. DEPT. OF JUSTICE

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Mohr
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Jones
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

WKH:IS
65-20553-98
9/14/44

RECORDED
EX-40

Mr. Tom C. Clark, Assistant Attorney General

John Edgar Hoover - Director, Federal Bu[illegible] Investigation

KURT MERTIG, with aliases
INTERNAL SECURITY - G
REGISTRATION ACT; DENATURALIZATION PROCEEDINGS

Reference is made to [illegible]y numerous previous communications to you concerning the above subject.

For your further [illegible]inral [illegible]ation and assistance in connection with your consideration o[illegible] this c[illegible] [illegible] am enclosing herewith two copies of a memorandum dated September 2, 1[illegible], received from the Bureau of Prisons concerning Mertig's [illegible] activi[illegible] [illegible] and contacts.

Enclosure

ALL INFORMATION CONTAINED
[illegible] IS UNCLASSIFIED
DATE [illegible] BY SP-1 GSK/BOA/RLS

SEP 13 5 11 PM '44
RECEIVED READING ROOM
[illegible] DEPT. JUSTICE

WKH

WKH:IS
65-20553-

SAC, New York

December 1, 1944

John Edgar Hoover - Director, Federal Bureau of Investigation

KURT MERTIG, with aliases
INTERNAL SECURITY - G
DENATURALIZATION PROCEEDINGS; REGISTRATION ACT; SEDITION

A review of the Bureau files reflects that the last report submitted by your office in the above case was the pending report of Special Agent Walter H. Nelson, dated February 26, 1944 at New York City.

In view of the delinquency of this investigation it is desired that it immediately be given appropriate investigative attention to ensure the submission of a full and complete supplemental report.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/78 BY SP
SP-1 GSK/BSA/RH
65-20553-100
DEC 2 1944

WKH:FVB
65-20553

To: SAC, New York

Date: March 14, 1945

From: John Edgar Hoover - Director, Federal Bureau of Investigation

Subject: KURT MERTIG, was
INTERNAL SECURITY - G
DENATURALIZATION PROCEEDINGS; REGISTRATION ACT; SEDITION

It is desired that the instructions contained in my letter to you dated December 1, 1944, be complied with without further delay.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1 GSK/BJA/RW

RECORDED 65-20553-101
FEDERAL BUREAU OF INVESTIGATION
MAR 15 1945
U. S. DEPARTMENT OF JUSTICE

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Hendon
Mr. Pennington
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

L00-16314
HDC:MOE

TO : DIRECTOR, FBI

DATE: April 19, 1945

FROM : SAC, NEW YORK

SUBJECT: KURT MERTIG, WAS.
INTERNAL SECURITY-G
DENATURALIZATION PROCEEDINGS; REGISTRATION
ACT; SEDITION

Reference is made to your letter dated March 14, 1945 regarding the status of this case.

This is to advise that this case has been recently reassigned and inquiry is being made regarding subject's present activities and the possibility of instituting a technical surveillance. A report will be submitted without delay.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP-1 6SK/BJA/RU

65-20553-102

50

Rome, Italy
June 7, 1945

Director, FBI

Re: KURT MERTIG; IDA FOSCA MERTIG;
PATRICIA MERTIG; BEATRICE MERTIG
Security Matter - G

Dear Sir:

Reference is made to the Rome letter to the Bureau of May 21, 1945, which transmitted a report of the Counter Intelligence Corps concerning the above captioned subjects.

In a letter dated June 4, 1945, Captain ~~Sidney~~ Henderson of Allied Force Headquarters advised this office as follows:

"A check of documents seized from the office of the German Consul, Naples, and now held in the War Office, Research Section, London, has failed to reflect any additional information relative to the above captioned subjects."

Very truly yours,

Frank L. Amprim
Special Agent

FLA: rkm

EX - 35

RECORDED

RECORDED COPY FILED IN 100-27196-676

RECORDED 65-20553-103

INDEXED 79

JUN 14 1945

EX - 35

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-5-91 BY SP-1 GSK/RJA/RW

Rome, Italy
May 21, 1945

Director, FBI

Re: KURT MERTIG; IDA FOSCA MERTIG;
PATRICIA MERTIG; BEATRICE MERTIG
Security Matter - G

Dear Sir:

On May 17, 1945, Captain Sidney Henderson of Allied Force Headquarters, Caserta, Italy, furnished to Special Agent Bacigalupi a copy of a Counter Intelligence Corps report concerning Patricia Mertig and Beatrice Mertig, daughters of Kurt Mertig, 317 E. 54th Street, New York. Captain Henderson believes that this report on the Subjects may be of interest to the Bureau.

In view of the fact that duplicate copies of all serials were not available, it was necessary to make photographic negatives of the balance of the report. The duplicate copies and the negatives are attached hereto.

It will be noted that in this report the investigating CIC agent suggested that a thorough background check be made of Kurt Mertig and also of Walter Diehl, 175 Riverside Drive, New York, the latter having evidently been used as a reference by the Subjects.

Very truly yours,

Frank L. Amprim
Special Agent

RJB:rkm

Attachments

RECORDED
EX-35

RECORDED COPY FILED IN

RECORDED
& INDEXED

ENCLOSURE BEHIND FILE

65-20553

EX-35

5

COPY

POLICE STATION

CAPRI

22 January 1944.

SUBJECT : Mrs. Hertig Ida, born Fosca of Pasquale and Maria Anna Lescere, born in Naples the 7 June 1897 and daughters: Beatrice born in New York City, 30 November 1919, and Patricia born in New York City, 4 January 1921.

TO : The Allied Military Governor in Capri.

Mrs. Ida Hertig, mentioned in the above subject, left Naples at the age of eleven years and accompanied her parents to Buenos Aires, Argentina, in South America, who went there as her father was a well-known sculptor. When Ida Fosca was 17 years old, she left Buenos Aires for New York City to visit her sister who was already married there and met the German subject Kurt Hertig who already was living in New York City since some years. In May, 1917, Ida Fosca married the aforesaid Kurt Hertig. After the marriage Ida Fosca Hertig established her residence in New York City where the two daughters Beatrice and Patricia were born.

In 1922 Mr. Kurt Hertig wanted his wife and children to meet his father and family living in Germany, and let his wife have a German passport to facilitate her voyage as he was of German origin but an American Citizen, as he could not accompany her in the long trip by important business matters which regarded his work. After some months of permanence in Germany, the mother and her two daughters came to Italy and to Capri for recreation. In Capri, in 1924, the two daughters were christened and in that same year they returned to the United States.

Because of a disease which had supervened to Patricia, (mastoid-itis with various operations;) in 1929, the mother and two daughters re-turned to Italy and established their residence in Capri or better in Anacapri in a small house belonging to Doctor Cuomo of Anacapri.

Mr. Kurt Hertig stayed always in the United States. At first he could send any money as the crisis of 1930 had ruined all his business, but then things began to go better and so he could send small sums to his wife and children.

When war was declared in 1939, Mrs Ida Hertig could not receive any help from her husband and so she began to use the little money she had put aside so she could keep the girls from starving.

0553-104

The expenses of life had a great influence on the small amount of money, so that in the space of very little time it was ended. Mrs. Ida Hertig, in 1943, transferred herself with her two daughters to Naples where her first daughter, Beatrice, was employed as assistant dentist in a german Hospital and Rest-Home, and Patricia, in the Post-Office of the same Hospital.

These occupations were held from April to July 1943, in which date, Mrs. Hertig and her two daughters returned to Capri as they had had their house in Naples completely demolished, during an air-raid and have lost everything with it.

Afraid of being annoyed, Mrs Ida Hertig did not ask for American citizenship (although her oldest daughter had started registration for one and the war stopped the application!), but preferred to keep the german citizenship so that she could find work and protection as they were women, alone, and with no help at all.

As the things are in this present condition, this Office of Public Security proposes that Mrs Ida Hertig and her two daughters rectify their position with the American Authorities, and should be considered from this moment, citizens of the United States.

The aforesaid, have always had good conduct, have never given the least annoyance and they have never shown any nazi activity for propaganda towards Germany.

The Chief of Police in Capri

(Dr. Ranio Fortunato)

ALLIED MILITARY GOVERNMENT

- CAPRI -

GOVERNO MILITARE ALLEATO

16 January 1944

Marriage certificate of the State of New York between Kurt Hertig and Ida Fosca.

Application for Immigration Visa. Nonquota dated 13 October 1934 No.K2129 Naples, Italy.

a) Ida Hertig, born Fosca, South Italian, wife of United States citizen.

Also birth certificates, City of New York, Department of Health, for Patricia Hertig, 4 January 1921; and Beatrice Hertig, 30 November 1919.

The above papers were today inspected by the undersigned, who does not, in any way question their loyalty to the United States.

Also inspected letter, signed William E. Cole Jr. American Vice-Consul in Naples Italy, November 9, 1939, informing Beatrice Hertig her application for registration as American citizen, valid until July 5, 1941.

John N. Lunsus, Captain, AUS

Civil Affairs Officer in Capri

(Official Stamp)

LC-20553-104

4. November 42

The German National, Frau Ida Hertig née Fosca, resident in Naples, Via Lucca Giordano 90, has addressed a request to the Consulate General to inform you that Mrs Hertig and her two daughters urgently call attention to the monthly payments of 200 RM from the advance allowance made by her husband. The Consulate General complies with Frau Hertig's request and calls attention to the great increase which has taken place in the cost of living for three persons. Frau Hertig herself has no further source of income, her daughters Beatrice and Patricia are still in professional training. They have until now lived exclusively on the monthly payments of 200 RM.

I should like therefore to request you to make it immediately possible for the further payment of 200 RM to be made to Frau Hertig.

COPY

5 April 1945

My darling Daddy

I am writing to you to tell you that we are well and hope the same of you! Am wondering how you have spent Easter as we have been thinking a lot about you! We have recalled all the happy Easters we have spent with you while in the States and which have never been the same since we left you back in 1929!

I am very happy because to have been granted permission to go back to the Hotels right around the Holy Week and this has lifted our spirits greatly! Of course your remittance of one hundred dollars, which arrived on Easter Saturday helped too! It is very hard for us to receive packages as we cannot correspond with civilians on the mainland and I do not know what address I can give you. You know how badly we need underthings and clothes and at the same time money as Pat and I do not know where to get a job! Life is dreadfully expensive over here and two hundred dollars monthly are hardly sufficient! Furthermore I know how difficult it is for you to earn your living in N.Y.C., too! Sometimes I feel so bitter that I wish very badly that God would finally grant us some assistance for we have always desired his help ever since we left you! I often ask myself why conditions have become so adverse as not to permit us to return to the good old U.S.A., and there are so many difficulties even now! I wonder whether we shall ever be allowed to see that good old lady in the harbor again, although I constantly keep my fingers crossed! May God bless us all and allow us to be reunited soon!

I wish you would realize that living amongst narrow-minded people in Italy means, for so many years, although I keep and reread your letters of many years ago in which you always say and advise us never to think or be the way people in small centers are, to keep our English language and our American ideas! I am very proud to say that Mamy has done her utmost in answering your wishes! The only fault, which served to save us from the concentration camp in 1941 was to let us have a temporary German pass! It saved us all right but what complications it brought us! Of course we are proud to say that we have never done any activity in favor of the German Nazis and people can testify that, although when in urgent need of money we were forced to be employed at the Hospital! But we had to help Mother after all she had done for us in helping us go through our studies! And you must understand that! Because we were completely out of funds and with no news at all from you! How could we live? Thanks to God though, you are very much alive and we hope that soon we can afford to reassure our jobs, that everything will finally be cleared and found O.K. But it is hard on us to be doubted when our sentiments have been completely

65-20551-104

COPY

N Y C, February 21, 1954.

Dearest Ida:-

We have had very cold weather for the longest time (yesterday we had again a snowstorm which made travel extraordinarily difficult) and as the pipes in the bathroom froze and burst, and by the shaking of the house, everytime one of those powerfull gasoline trucks passes on Gunhill Rd., the kitchen sink became detached from the wall and fell forward on the floor, causing a flood in our apartment and on the ones below until the cellar. I had to decide between moving or having the apartment renovated, and as one apartment happened to empty on the same floor, where I could move the furniture into, I had the place fixed up last week and moved back last Saturday, so that you would find the place fit to live in, in case you should come back, before it will become dolapidated again.

Some friends called for me in their car on Lincoln's birthday (Feb 12) and took me to Bear Mountain for skating on the lake. I went skating only once down at Van Cortland Park Lake, because the ice was cracked so much, that one could take an awful tumble at night, and being so cold and windy, and besides having nobody to go with, I did not take advantage of this year's skating season.

If it has been also so cold in Germany, then it has been far better for you and the children, to pass the winter at Anacapri.-

I now have your letter of the 6th inst. and I wished you would stop worrying about that discrepency in your passport etc. regarding the place of your birth. I wrote you already on this point, and I am waiting for your answer, before I write to the Consul at Naples.-

There is one thing, I think you will have to take out of your mind, and that is that you make an excursion to Germany with the children and return to Anacapri later, in order to take the steamer from there to N.Y.- I cannot see how I can get the money together for such travel.-

When I sent you information as to the steamship companies on which eventually to come back here, it is for the purpose of keeping you informed so that you do not think that the Rex or the Conte di Savoia or the Roma or Augustus are the only ships on which to return. They are out of reach for me, considering my weak financial conditions. Therefore you should always look around, whenever you go to Naples once to look at the facilities of such ships, when they should happen to be in port.

Now what you write me about the debts of 6,000 or 22,000 lires to be settled before you can leave Anacapri makes me wonder whether you really wish to come back here or not. With what you owe there, it

65-20553-104

and purely American and if some day we shall be granted to return to New York, I shall be the happiest girl living and am sure I shall never want to leave America again!

Have had no news from Clarence! Have you? Please write for we expect your letters more than anything in the world!

With all my love I am as always

Your Loving Daughter

Beatrice

We are expecting Victory and hope for it soon!

love

B.

Guendlein

I hope you received my letter of the 27 of February where I explained all our situation.

Will write to you now again

love

Lela

Dearest Daddy:

It's a long time since we last received a letter from you - Do write us more often and try to help us get out of this jam that the war has pushed us into! You can't imagine how horrible and miserable we feel sometimes - Seems to me that nobody wants to believe that it is because of you loosing all of your money that we weren't able to come back to New York - All I can say is, lets hope for the better- Write us soon again, dear daddy - and try to help us, because we want to come home!

Love

Patricia

a great deal of your grudge against New York has not had its origin in your own ignorance and stubborn mind?- I tell you frankly that when you were here, I had also gotten to the point of not knowing anything about living conditions here, I also felt like a stranger in a strange country, and I would not have anything of such a life anymore. Had we not had a car, our life would have been worse than slavery!-

Even, if one has little money here, there are so many free concerts in the museums, libraries and parks, there are so many free or nearly free lectures in English, German, French, Italian and Spanish, there are so many schools for learning languages, trades, music, art and science, there are so many movies and theaters and concerts, where one can attend for very little money, that I claim that one has here far more facilities for the ones who want to advance themselves, than anywhere else, but unfortunately, almost only the Jews alone avail themselves of the opportunities offered, and therefore they get ahead of everybody, while all the others (including you) are too lazy to study the newspapers and rather sit at home and mope, instead of going after such offered opportunities. Therefore 90% of all the high school graduates have Jewish names, and then the other far greater majority of the other population consisting of Germans, Italians, Irish etc. are wailing, when the Jews are always the heads of science, law, politics, music, languages etc.etc. You write a miserable English, a faulty Spanish and undoubtedly a poor Italian not to mention even German. Now there you see for yourself, there you should commence right-away to improve yourself. - And what I am afraid most of all is, that the children take after your nonchalant way, and will be made to suffer for it later in life.-

You have been over there almost five years, living mostly for your health, and if I can read between the lines, you have remained in the same under-nourished weakened condition, I urged you to correct, when you left here. During the last two years, or the last year and a half, I could not help myself, but during the first three years you have cheated, as you have not done everything to improve your health. And I do not believe that you have done your full duty towards the children in this respect either.- What they do not get into the bones, while young, they cannot get into their constitution, when older.-

Now on to your question, whether you could find a job here? - Well you do not want to become a slave to house-work again, now that the children are bigger and can help themselves and do not need to be served on hand and feet by you, and do not be watched that they eat their dinner or lunch.- Therefore you should have some five or six hours at least every day for yourself, and this time you should use well in gathering all possible information, by going yourself to the different information office etc.etc. schools, and other bureaux, and asking advice in the "Briefkasten" of the German newspaper "Staats-zeitung" etc., until you have found something, which you should study

is simply a matter of telling that good people, when the time should come for a return here, that they cannot hold you there, and that they would stand in their own way, if they would make any trouble for you and should try not to let you leave, as in such a way it would take me years and years to remit you sufficient money for your current expenses and pay off your debts besides, as my income has decreased, whereas I have to pay almost the double for the lires I have to send you. First of all, I must be able to reduce my expenses of keeping two different residences, in order to be able to pay faster whatever debts you have contracted there.-

No please stop your foolishness of complaining about New York and wishing to be able to live, where you like it better, AS THE CHILDREN WILL HAVE TO GO TO SCHOOL HERE, in order to be prepared to earn their living, and while a few months more of delay do not matter much, it is impossible to keep on not letting the children go to school, as this home work will not advance them, although it may be possible that they do not go back in their studies, while you keep after them all the time. BUT THIS IS ONLY A MAKESHIFT, while I cannot send you enough money. The children should not be kept out of school for any protracted length of time over there, and in fact, as I said before, the sooner they would be able to go to school again here in New York, the better it would be for their future.-

The way you write about New York, is almost a joke. You work yourself into a frenzy and the first thing will be that the children will likewise acquire a dislike for New York, where I want them to make their living later.

New York is still the place, where a girl can advance herself better than anywhere else, and also by becoming expert in a certain profession or art, can gain her independence easier than elsewhere in the world, and since this is a fact, you should take it out of your mind to be prejudiced against New York. The trouble with you has been that you never have tried hard to familiarize yourself with conditions here, and as you limited your lecture to reading the funny pictures only, YOU DONT KNOW WHAT YOU ARE TALKING ABOUT when it comes to New York and its living conditions. - True, you made a start once going to an art school for a few months, but you brought misery upon yourself and me, by courting pneumonia in the most stupid way. It has always been that way with you: You have learned nothing, and persisted in not wanting to learn anything about this country, with the result that you always remained a stranger in a strange country. That is no good, and I hope that you do not influence the children to adopt the same stupidity.- I readily concede that with the continuous sicknesses, you remained bound to house-work and nursing duties, and in this manner you had very little enjoyment and entertainment, and were influenced to dislike this country, this people, and everything connected with it. Furthermore, you did not willingly take to out-door sport, etc. and not building up your body and health, you persisted in being sick every winter for weeks at a time.- Now tell me, do you still believe that

or learn, and which thereupon would pay you relatively well, and at least far better than doing housework etc.-

You have a clever mind (but a lazy one), you have a better business-sense than I have (but you have so far been too timid to go out and find out things for yourself), you have artistic qualifications (but you have not tried to employ them in the right way), you have an excellent taste and other gifts (but they do not help you anything, if you have no money and sit at home doing housework and nursing), you have the gift of gab (but you must do more than reading only the funny-pictures), you have a splendid appearance and still youth (but you have not had a chance here to make use of it); you can therefore see for yourself, that outside of painting, which does not pay in this country, you could develop your gifts, so that you would derive benefit of it.-

It is true, that you ought to be pushed, otherwise you do things by your own volition. But I cannot push you in Capr[illegible] from here, and you should use your leisure now to give this shortcoming yours sufficient thought, so that in future you not alone do not [illegible] to be pushed anymore, but also can push the children yourself, as [illegible]rently specially Beatrice needs it.-

What makes me despair is that you insist on not going [illegible] movie at least with the children. This is the wrong kind of s[illegible]ng. Please bear in mind the German saying: "Im engen Kreise verengt sich der Sinn", and I am terribly worried that I get you back here in New York as regular dumb-belle. I should feel very sad, if I should have to realize that I made a great mistake, by not recalling you in Spring 1930, when I still had the money to pay your fare back.-

Regarding Dr. Biondo, we simply disagree in our ideas as to what he requires, if he wants to work himself up as a specialist. - He cannot live like an art student, the way you have figured it out.- But finally that is a matter you could decide for yourself, once you would be back here, and have gone around and looked at things yourself (but not the way you were looking for apartments, when we wanted to move in from Mountain View). You must get accustomed to find things out for yourself, and not be content that something is chewed for you by somebody else. DEPEND UPON FIRST HAND INFORMATION always in your life, and do not hesitate going after it!-

As to my business, I cannot see even a month ahead, how things will turn out, as I cannot get any remittances from China, and I cannot do any business for them, to speak of, as the high cost of silver, and the devalued dollar, and the tremendously decreased business in China produce in general, works all against me. I have become so frightfully poor, but so far I have been able to keep the life insurance intact, but I do not know how I will be able to manage it in future. And the thought of this makes me really sick.-

ALLIED MILITARY GOVERNMENT

CITY OF FLORENCE

OFFICE OF THE SENIOR CIVIL AFFAIRS OFFICER 15 April 1945

Mr. BLUE
American Consulate
Piazza Torretta
NAPLES

Dear Sir,

While at Capri recently I talked with Beatrice and Patricia Hepting in regard to their applications to return to America which, they told me, you were familiar with.

I understand that some difficulty has arisen over the fact that their applications, which they signed without reading, after the blanks had been filled in by an Italian clerk in accordance with answers given to questions addressed by him, contained certain printed statements which were untrue in the light of statements or documents that they had executed during the German occupation of that area. They told me that they had stated to you that they had not read these statements and had said, as an indication that they were not trying to conceal the facts, that they had told the whole story to me when I was the A.M.G. Officer at Capri.

I do not know whether this fact has any real bearing on the issues involved in these applications. However it is true that a few days after the occupation of Capri, probably about September 20, 1943, the two girls and their mother came to tell me that they were very much upset because during the occupation the mother, I understand for financial reasons (the father being a German-American had some property in Germany) and also for fear that the girls as Americans might be sent to a concentration camp, had compelled the girls to sign some papers which enabled them to receive money from Germany but which they feared amounted to an acceptance of German citizenship. The precise nature of the documents signed I never understood and I doubt very much if they did. The purpose of their visit was to inquire what they could do about the matter as they were very anxious to resume or retain their American citizenship and to return to their father in New York at the earliest opportunity.

At the time I told them that I could do nothing for them and they would have to wait until the Consulate was open in Naples. I did however express the rather firm opinion that, as Patricia was under 21 years of age at the time, nothing that she might have done

 65-20553-104

I have not heard anymore of my father. It is a pity that you could not have spent some time in his house, so that the children would have gotten a foundation of German.

Beatrice writes me that she would like to stay in Capri until September, because she wants to make good use of the bathing season. She probably will have her wish granted, unless things tumble on top of me.-

Patricia sends me a picture for good luck. Well, I should say, I NEED IT VERY BADLY.-

Now please understand, this letter is not written to make you feel bad. IT SHOULD SERVE THE PURPOSE TO MAKE YOU SEE THINGS CLEARLY, and to wake you up! -

To-day is Washington's birthday; so I came down to the office.

I suppose that the first flowers are out already, when you receive this letter. Winter is fast drawing to a close.

With love to you and the children, I am affectionately yours,

Daddy

could have affected her citizenship.

A few days later I employed Beatrice as Secretary-Interpreter for the A.M.G. office in Capri and, although I remained on the island altogether less than a month, she continued to serve in that capacity as long as the office remained open, some eight or nine months, under a succession of Civil Affairs Officers some of whom did not live in the island but controlled it from some other locality with Beatrice's assistance on the ground. Her services were most satisfactory to all concerned.

I may add that the story of the girls questionable citizenship was known not only by me but also to Admiral Morse, British Flag Officer for Western Italy, who was stationed on the island prior to the fall of Naples, to Lt. Long, the Admiral's Aide, of the British Naval Intelligence Service, to Gen. (then Colonel) Lane, S.C.A.G., A.M.G., Fifth Army, who visited the island at that time, and a number of others. Further it is my recollection that in order that there might be no cloud on Beatrice's status, I included these facts in a long report I made to Col. Kincaid, Provincial Commissioner Naples Province, when I left the island, and I believe I mentioned also the fact, which was known to me from the first, that Beatrice had been employed in a German hospital during the German occupation.

I got to know the entire family quite well during my stay at Capri. Of the genuinely American sentiments of both girls I have not the slightest doubt. They are both persons of a type whose sincerity I believe cannot be questioned. They have many times told me that, while working for the Germans, they were always in danger of losing their positions because of their known pro-American sentiments and their refusal to go around socially with the Germans, a fact, as to which I am told, many persons could testify.

As I said above, I have no idea whether any of this has any bearing on the technical issues involved in these applications. But I am quite certain that, if these girls have technically lost their citizenship and cannot regain it, our country will be the poorer for the loss as I am convinced that they are very fine girls whom we should be proud to number amongst our fellow-citizens.

THOMAS J. MCCHE

Lt. Colonel, A.C.

COPY

April 7th 1945

Dearest Mac-

You will have to excuse me if I didn't write you sooner-

I have been always wanting to answer your very dear letter - but some how things happened that threw me directly into the dumps.

I want you to know, that I admire very much the murals you painted in Ohio and that I think you are tops!

I would so like to succeed in coming back to the States and throw myself head over heels into art work. I am not sure if I will succeed - but I'd like it a lot.

Mac, you think you could be able to send me some water colors? I can still dig in to my colors for an other little while - but the yellow, the black and the red are almost gooners!

I heard of the package you were trying to mail us I hope Bee will be able to write down the address where you could send it to- You think you could manage to send me a pretty taylored suit? Our newest dresses are five years old!

Mac, will you write me soon again, with some drawings included - And could you write to a new artist friend of mine Marvin D. Waruke of - 922 CUTHBERT Road - Toledo, Ohio-? You could introduce yourself as an artist and become friends - He's kind of a Bear- I mean, he doesn't like to make friends- But I think quite a bit of him as an artist-

Do write me very soon again -

With love

Patricia

65-20553-104

COPY

DEPARTMENT OF STATE

WASHINGTON

In reply refer to
150-Mertig, Beatrice

Mr. Kurt Mertig,

317 E 54th Street,

New York, New York.

January 26, 1945

My dear Mr. Mertig:

In reply to your letters of December 18, 1944 and January 4 and January 10, 1945, concerning your daughters Beatrice and Patricia who are residing in Italy you are informed that the American consular officer in charge at Naples, Italy is being authorized to issue passports to your daughters valid for their return to the United States as soon as their transportation to this country is arranged and they are able to depart from Italy.

Sincerely yours,

(sgd)

R.B. Shipley,
Chief, Passport Division

65-20553-104

COPY

DEPARTMENT OF STATE

WASHINGTON

In reply refer to
SWP 365.1115/1-1845

February 6, 1945

My dear Mr. Hertig:

The receipt is acknowledged of your letter of January 18, 1945 referring to previous correspondence which you have had with the Department and requesting assistance in the matter of the early repatriation of your daughters, the Misses Beatrice and Patricia Hertig, who you state have been stranded in Italy since before the war.

As you have now been informed, the American Consulate General at Naples has been authorized to issue passports to your daughters valid for return to the United States, once they shall have completed their travel arrangements.

Presumably shortage of transportation will present an obstacle to the early return of your daughters to the United States. With peacetime travel disrupted as a result of the war, prospective repatriates are necessarily dependent upon whatever accomodations the military authorities on the spot, with the concurrence of the ship's captain, find it expedient to allocate to civilian ends. While the cooperation of the officials concerned may be anticipated, the precedence of military requirements over civilian travel should not be overlooked. As their immediate approach, it should be suggested to your daughters that they place themselves in touch with the American Consulate General at Naples which will advise them of the steps they should take in arranging for transportation to the United States or, where considerable delay is anticipated, in including them on a waiting list of prospective repatriates.

Sincerely yours

For the Secretary of State:

Albert E. Clattenburg, Jr.
Assistant Chief
Special War Problems Division

Mr. Kurt Hertig
317 East 94th Street
New York, New York

65-20553-104

COPY

317 E. 54th St.
New York, N.Y.
January 19, 1945

My darling daughters
Beatrice and Patricia:-

I received yesterday Mother's letter of Nov. 30th (Beatrice's birthday) in which she acknowledged receipt of my letter of Oct. 12 and my first remittance made on September 13 (which took 10 weeks to get there) and further informing me that you were away for a month for a visit somewhere north of Rome and near Florence.

I answered Mother the same day I received her letter, of which I enclose a copy, informed her that I had mailed the day before another remittance of $100, and explained to her that due to your advices I had been led to believe that you might be already on your way here, for which reason I had not written you for both your birthdays and neither had written for Christmas and New Year.

I enclosed in my yesterday's letter copies of correspondence I had directed to the Passport office of the State Dept. on Dec. 18, when I thought they had cabled to the Naples consular office as per my request, and copy of my letter of January 4 to Secretary of State Stettinius, and not having heard from either, I wrote them again under yesterday's date as per enclosed copies of letter.

It now dawns upon me that you perhaps did not have the money to pay the American consul for the fee of issuing the duplicate passports, when you registered as American citizens on July 12, and that possibly he did not entertain your request for repatriation, because you had not had him forward to Washington your application for duplicate passports.-

At any rate you will at least have attended to this on receipt of my letter of October 12, at which time you will have had the necessary funds to pay the consul's fees, as unless this is done, I cannot do anything from here.

Mother informed me that you, dear Patricia, are now a full fledged professor. It would be wonderful, if you could come here as quickly as possible to get a start, before things might all become topsy turvy the moment the war will actually end and inflation sets in also in this country. - And this preoccupies me even more on your account, dear Beatrice, because you do not seem to have the artistic talent inherited from Mother and might have harder sledding to get a good start here. But we will worry, when we will have to cross that bridge. The principal thing is that you first get here as soon as possible, perhaps writing to the various army officers you know to try to intervene for you both at the official at Army Headquarters

65-20553-104

in Italy, who has something to say about who can leave for America on the Army transports regularly leaving Italian ports for the U.S. and who can take care of civilian repatriants. - I must leave that to your ingenuity.

And now a word to you, dearest Ida: The Postoffice informs me that parcel post packages of 4 lbs in weight are only accepted for Naples, Palermo, Rome and another Italian port, but not for Anacapri. However, I shall make further inquiries. - I am writing to-day only in order to have you all understand the passport and repatriation matter, so that no further time will be lost.

With all my love to you all, I am your affectionate

COPY

517 E. 54th St.
New York, N.Y.
February 8, 1945

Dearest Ida, Beatrice and Patricia:-

I wrote you on the 19th ult. as per attached copy and I also enclose copy of my letter to the State Department and their letters of January 26 and February 6 in answer to my previous requests to instruct the American consular officer at Naples to issue passports and arrange for transportation of you, Beatrice and Patricia. -

Unless you should already been notified by that office, and even if so, I would suggest that you all proceed to that office and show the consular officer there the original letters from the State Dept. and ask the consular officer in charge (do not speak to the office boy or any subaltern) to make all possible haste in trying to arrange for your transportation to New York with the military authorities of Naples and/or concurrence of the captain of a ship, leaving for New York and having some stateroom facilities available.-

I was told and rightly that my appeal to the new Secretary of State, Edward R. Stettinius, Jr. had been the cause of quite some shake-up of department's routine, just before he left for Europe, and I might still recei e some further letters from that government agency in reply to my protests that refugees from all over Europe had received preferential treatment in transportation to the United States over American citizens.-

As soon as you will have come here, we will have to make plans, how to bring Nanny back. I have what they call a three room cold water flat, where we probably would have to make the best of it until such time, we could find better quarters (there are hardly any modernized apartments available) or until Nanny will reach here.-

I had been in hopes of being able to make you another remittance but so far could not get the necessary funds together.

I had fixed up two packages with coffee, tea and cocoa, but the post office only accepts same for persons living in Naples proper and unless you can give me an address there, from where you will fetch it, I cannot send you any packages.-

I received a letter from Ike. His address is: 365 Park Ave. West, Lansfield (Ohio) and I enclose the letter for simplicity's sake.

A lady acquaintance of his from New York came to see me a little before Christmas to give me his regards. She told me that his mind

65-20553-104

seems to be sound again and that he has resumed work and is feeling better, mentally as well as physically, and seems also better off financially. -- He is a firm believer in Patricia's success as an artist in this country.--

Two Sundays ago I received a surprise invitation from Mathilde Lemmermann and John. Henry, Regina and Albert Baumann also came over in the afternoon. I had not seen them for years. They all sent you their best regards.--

The effects of more than three years of warfare make themselves also felt here. Most of the manufacturing for civilian consumption has stopped. Scarcity of raw materials makes itself felt everywhere. Inflation may be just around the corner. Unemployment may reach phantastic figures, once the war may come to an end. For this reason I am so anxious for your return here, before turmoil might set in. I may look into the future perhaps too pessimistically. With all my love

affectionately

Daddy

CAUTION!
Enclosure is very
Badly damaged

65-20553-104

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STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

WKH:aop

TO : Mr. D. M. Ladd

DATE: July 3, 1945

FROM : J. C. Strickland

57007

SUBJECT: THE GERMAN AMERICAN REPUBLICAN LEAGUE OF GREATER NEW YORK;
KURT MERTIG, WAS
INTERNAL SECURITY - G

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Mohr
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Jones
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

Pursuant to your request, there is set out below a very brief identifying summary of the available information concerning the above subject.

The German American Republican League of Greater New York is an organization which has been used for at least the past eight years as a front for the activities of Kurt Mertig. In this connection, it has been closely connected with the Citizens Protective League, also used as a front for Mertig. Both of these organizations, of which Mertig is alter ego, have functioned in the New York area and their activities have been without question pro-German as well as anti-Semitic and anti-Communist.

Mertig was born on September 5, 1886, at Leipzig, Germany, entered the United States at New York on December 17, 1916, and became a naturalized U.S. citizen on January 30, 1931. He has a long record of pro-National Socialist and pro-German agitation and "rabble rousing" activities. During 1941 and 1942 he was closely associated with one of the prominent leaders of the NSDAP (Nazi Party) in the United States, and in the early part of 1942 was extremely active in arranging through the Swiss Government the repatriation of known Party members in the New York area to Germany.

A number of agitational meetings have been held, particularly in the years prior to Pearl Harbor in the New York area by the German American Republican League and the Citizens Protective League under the sponsorship of Mertig. On March 15, 1937, such a meeting was held in the New York Turn Hall at which the speakers were Edgard James Smythe, well known anti-Semite, and George L. Safort, a New York leader of the Silver Shirt League which was headed by William Dudley Pelley, convicted Seditionist.

Similar meetings of these two groups were held at the Turn Hall on December 11 and 12, 1939, at which the speakers were individuals known to be prominently connected with the National Socialist German element in the New York area. A large number of similar meetings have been held periodically by these groups during recent years.

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ST. JOHNS FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

[illegible]
100-16[illegible]

TO : Director, FBI

DATE: July 2, 1945

FROM : SAC, New York

SUBJECT: KURT MERTIG
INTERNAL SECURITY - G

The above-named subject has stated upon different occasions that he is employed by the NATIONAL W[illegible]LIES, INC., Winona, Minnesota and that his duties consist of distributing various publications of the subject firm upon [illegible]ion basis.

It is requested that the St. Paul office ascertain the duration of such employment with this firm together with the total commission paid for the years 1940 to 1944. Any explanatory data that may be obtained from the above firm regarding the financial status of the subject should likewise be forwarded to this office.

ce- St. Paul

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WKH:LP
65-20553

August 21, 1945.

65-20553-107

RECORDED

EX-40

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/5/81 BY SP-1 GSK/DJA/RD

The Honorable,
The Secretary of the Treasury,
Washington, D. C.

My dear Mr. Secretary:

In connection with an official investigation presently being conducted by the Federal Bureau of Investigation, it would be apprecia d if you will make available to me uncertified photostatic copies o the income tax returns for the years 1940 to 1944 inclusive of Kurt Mertig, 317 East 54th Street, New York, New York.

For your assistance in this connection, it is noted that during the past five years Mertig has also used the following addresses:

Post Office Box 208 East 86th Street, New York, New York
c/o Kerekes

235 East 54th Street, New York, New York

1253 Lexington [illegible], New Yor

New York Turnhalle, corner of 8 [illegible] nd Lexington Avenue, New York, New York

[illegible] connection with his use of th [illegible] Mertig has [illegible] the names of the Citizens [illegible] Republican Le[illegible] [illegible]ective League and the [illegible] New York City.

[illegible]ppreciated if you will make available to me [illegible] filed during this period by these organizations.

Sincerely yours,

Attorney General.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

HDO:MES
100-16314

TO : Director, FBI

DATE: July 2, 1945

FROM : SAC, New York

SUBJECT: KURT MERTIG
INTERNAL SECURITY - G

57065

In connection with the investigation of the above-captioned subject, it is requested that the Bureau obtain photostatic copies of the Income Tax returns of the subject for the years 1940 - 1944, inclusive.

-107

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ETT:PNS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/81 BY SP9 GSK/BJA/RU

KURT MERTIG
SECURITY MATTER - G
DENATURALIZATION PROCEEDINGS - G
REGISTRATION ACT; SEDITION
New York File 100-16314

Supervisor: J. J. Ryan, Section #10
Case assigned to: H. D. O'Neill

Inspector CLEGG: The last report submitted by the New York office was the report of Walter H. Nelson, dated February 26, 1944, which placed this case in a pending inactive status. The Bureau by letter dated December 1, 1944, requested th t this case be given investigative attention. A fol up letter was sent to New York by the Bureau on Mar 1945, and by letter dated April 19, 1945, New York a sed the Bureau that this case had been reassigned and a report would be submitted without delay. A report should be submitted immediately.

Acti investigation has been afforded this case and ation has also been given to the installation nical surveillance. Spot surveillances have cted and mail covers have been placed to the present activities of the subject. tly being prepared and will be future.

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NOT RECORDED
31 JUL 6

JJK:mn
65-20553-108

RDED

July 18, 1945

Honorable Leverett Saltonstall
Uni[illegible] St[illegible]es Senate
Was[illegible], D. C.

M[illegible] Senator:

I have received your communication of July 13, 1945, [illegible]her with its enclosure, a communication directed to you [illegible]ne Kurt Mertig, Chairman of the Citizens' Protective League [illegible] dated July 8, 1945, and which I am returning to you [illegible] your request.

urs[illegible] our courtesy and consideration in bringing this [illegible]y attention are indeed appreciated.

matt[illegible] ith expressions of my highest esteem and best

regard[illegible]

Sincerely yours,

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[illegible]closure

U.S. DEPT. OF JUSTICE
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RECEIVED-READING ROOM
JUL 20 4 42 PM '45

U.S. DEPT. OF JUSTICE
F B I
RECEIVED-DIRECTOR
JUL 20 5 14 PM '45

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Hendon
Mr. Pennington
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

243

United States Senate

13 July 1945

Respectfully referred to

J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, 25, D. C.

with thanks for such favorable consideration as the communication herewith submitted warrants, and for a report thereon, to accompany return of inclosure.

By direction of

Leverett Saltonstall
U. S. S.

9-2479

ack
JJK 7-18-45

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EX-72

JUL 14 1945

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DATE 2/5/81 BY SP-T LSK/DSA/RU

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DATE 2/5/81 BY SP-1 GSK/BJA/RU

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(2)

317 E. 54th St.
New York, N.Y.
July 8, 1945.

Hon. Leverett Saltonstall
U. S. Senator of Massachussetts

[illegible]

[illegible] ver since V E Day -- 30 million [illegible] ntry have been manifesting [illegible] ence and silent submission [illegible] of bringing order out of [illegible]

[illegible] e is all the more notable since [illegible] they have been injured and [illegible] against by an impudent but cunningly [illegible] th minority of our population which imagines that by reason of its control over our newspapers and other informative agencies it will be able to induce the Allied nations to restore to them the wealth which prior to the second world war the German government took away from their race on the ground that this race itself had originally taken that wealth from the German people by extortion and usury.-

Recognizing that the main obstacle to this recovery by them of their ill-gotten plunder is to be found in the voting power which, after all, cannot be taken away from our American citizens of German ancestry, this one fortieth minority laid its plans years ago and commenced by subjecting its fellow-citizens of German ancestry to an illegal boycott; and is now carrying its campaign to the point of howling for the utter extirpation of the German race amid a chaos and confusion such as the world has never previously witnessed.-

In the face of this latest development the 30 million American citizens of German ancestry are at last coming to the conclusion that patience has long since ceased to be a virtue, and are deciding that they will be patient no more -- that they will be silent and inactive no more -- that they will be racially and politically disunited no more -- but that, on the contrary, they will now take steps in common to use in common -- and for the common and general welfare of these United States -- the political and commercial power which, as a matter of fact, they still possess, in the United States, in far greater quantity than even the Jew has yet accumulated -- and in infinitely greater goodness of intention than at the present outlook is inspiring the Jew in his use of the power which he does possess.-

In taking this course, our citizens of German ancestry are actuated not only by the instinct of individual self-preservation, but also by a desire to preserve from ruin this great Republic to whose enlargement and enrichment and [illegible] notable contributions have been made, [illegible] the Republic, by previous American [illegible] or German birth; and from this [illegible] that they are entitled to [illegible] than censure when they demand [illegible] operation of the following program:

[illegible] service with Germany -- to the [illegible] clothing and money can at once [illegible] ugh the mails, by any and all [illegible] mans to do so, whether or no [illegible] thus made the object of their [illegible] essency;

Return to:
Senator
S.

[illegible] onstall
[illegible] ng

2) Encouragement and assistance of the German people to resume all occupation necessary to the supplying of themselves and their families not only with the [illegible]ries of life, but also with those adornments [illegible] which, as accessories to the human existence, [illegible] greatly to the happiness of individuals, [illegible] in accordance with their individual taste, and also [illegible] essential contribution to the maximum prosperity of commerce and finance;

3) That the Government of the United States shall use its full power and influence toward the inducing of each and all of the United Nations to cease and desist from the infamous program and policy embodied in the plans and plots and propaganda which at present are being put forward by International Jewry, as a preliminary to the final and culminating success of its eagerly pursued design for world domination -- the program and policy of sending demobilized prisoners of war and ex-soldiers of Germany away from their fatherland, where they would otherwise be able to protect their families from the industrial endsex slavery practiced against them in former years by this same International Jewry, and consigning these capable men to hopeless slavery for indefinite periods of separation from those wives, from whom, by express command of God Almighty himself, they may not rightfully "be put asunder".-

The above three part program should be carried out promptly and without any further tolerance whatsoever of continued delay or other interference by Jewish chicanery with the purposes and interests of the United States, even though such interference be perpetrated in the name of Bernard M. Baruch, Sam Z. Rosenman, Herbert H. Lehman, or any other mediocrity, built up and publicized, by the Jew-controlled press of our country as paragons of ability and virtue -- May God forgive our stupidity in swallowing such traitorously subsidized propaganda ! -

Respectfully submitted,

CITIZENS' PROTECTIVE LEAGUE

Kurt Merting

Kurt Merting
Chairman

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT NEW YORK, NEW YORK

NY FILE NO. 100-16314 DMcK/MRG

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
NEW YORK, NEW YORK	7/17/45	5/23,26;6/8-10/45	HARRY D. O'NEILL

TITLE	CHARACTER OF CASE
KURT MERTIG	SECURITY MATTER - G; DENATURALIZATION PROCEEDINGS - G; REGISTRATION ACT; SEDITION

SYNOPSIS OF FACTS: CONF. INF. [redacted] advises German Consulate had poor opinion of subject and his affiliated organizations. Consulate related abilities of MERTIG were commensurate with position of grocery clerk. In recent sedition trial in Washington, D. C., subject wrote numerous letters of encouragement to defendants with enclosures of clothes and money. He also alleged mistreatment of defendants by prison authorities; demanded that the quality of their food be improved, that they be allowed outdoor exercise, etc. Additional information incorporated herein reflects subject's consistent defense of German policies and consistent criticism of America's policies. At the present time he is attempting to revive GERMAN-AMERICAN REPUBLICAN LEAGUE with little success. He has engaged in extensive correspondence. Results of mail cover set forth. States his occupation to be "salesman" on Selective Service questionnaire and to Army Exclusion Hearing Board. Exclusion order recently revoked by U. S. Army Hearing Board. Hissole occupation apparently consists of collecting subscriptions and acting as agent for NATIONAL WEEKLIES, INC., Winona, Minn. Spot surveillances reflect subject spends principal part of his time distributing newspapers, collecting subscriptions and writing letters

- P -

b7D

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5 - [illegible]
2 - [illegible]
1 - Colo. Sp. Counsel, D of J, 230
1 - USA, SDNY
1 - New York

NY 100-16314

REFERENCE: Bureau file ~~#65-9879~~.

Report of Special Agent Walter H. Nelson, New York, 2/26/44.

Bureau letter dated 12/1/44.

DETAILS: The first part of this report is being devoted to a review of pertinent information acquired since the date of reference report.

b7D

Confidential Informant [redacted], whose identity is known to the Bureau, advised that an employee of the German Consulate in New York City was sent to a meeting of the "CITIZENS' PROTECTIVE LEAGUE" conducted by the subject with the apparent instructions to evaluate the subject's ability. Dr. DRAEGER, the German Consul in New York City, later stated he did not have a very complimentary opinion of the subject and stated that his ability was such that he would best fit into the position of a grocery clerk in a backwoods store.

It will be recalled that the CITIZENS' PROTECTIVE LEAGUE was a group organized by subject for the purpose of furthering the interests of those Americans of German descent. To further the interests of this group, MERTIG induced different speakers to appear at meetings and when possible he exhibited films favorably portraying conditions in Germany.

An examination of the records of the New York office of the HAMBURG AMERICAN LINES and the NORTH GERMAN LLOYD STEAMSHIP LINES revealed a memorandum dated September 30, 1938, by one C. HANSEN, who was employed by the Film Department of the above steamship lines in their New York Office. In this memorandum HANSEN states that he exhibited a film for KURT MERTIG at a meeting of the CITIZENS' PROTECTIVE LEAGUE, at which meeting LOUIS A. ZAHNE and EDWARD L. CASEY spoke. The memorandum states that in his speech CASEY gave an eye-witness account of Germany in which he highly praised the new Germany's agricultural system, art, music and morals. CASEY also praised Hitler and Germany's stand in the Czechoslovakian crisis at that time.

Confidential Informant T-1 advised that in April, 1939, the United States Government imposed certain additional customs duties on German imports. This made it impossible for Germany to obtain needed war supplied through the barter system. Immediately thereafter, he continued, "there sprang into existence in the United States several German-inspired organizations which

sought to use pressure to remove the countervailling duties. It was hoped to have cotton growers in the South to bring pressure on their Congressional representatives in Washington. The CITIZENS' PROTECTIVE LEAGUE, 1253 Lexington Avenue, New York City, of which KURT MERTIG was the chairman, was one of those participating pressure groups."

This informant related that MERTIG attempted to arouse sentiment against the imposition of these countervailling duties and that he also discussed topics such as "The Boycott and the New Deal" and issued various supplementary statements such as "Don't say we didn't warn you," after which was the statement "The discretion already vested in the President under the Neutrality Act is excessive and dangerous and any enlargement of same, such as is sought in some of the pending messures before Congress, is too great a trust to be reposed in any man."

Invitees were also urged to "Please come and obtain free of charge the booklet entitled 'Hitler's Reply to Roosevelt.'"

Reference letter also transmitted a memorandum from the Bureau of Prisons, Department of Justice, dated September 2, 1944, wherein it was advised that subject engaged in considerable correspondence with defendants in the mass sedition trial recently held in Washington, D. C. A number of the defendants in such case were confined in the District of Columbia Jail, Washington, D. C.

Records of this institution reflect that MERTIG began corresponding with members of the group early in May, 1944. He first wrote to GERHARD KUNZE, former national leader of the GERMAN AMERICAN BUND, by letter dated May 12, 1944. It contained an enclosure of $5.00 which MERTIG indicated was a gift to KUNZE from "Mrs. PETERS."

On May 12, 1944, there was also returned to MERTIG a miscellaneous package of food addressed to KUNZE. On May 13th next a letter from MERTIG outlining the contents of the rejected package was transmitted to the jail with an explanatory note from this office. Additional letters addressed to KUNZE were inspected on the following days:

May 15 Advised of sending a second package; enclosed $1.00 (Package was rejected at jail).

May 18 Expressed regret at rejection of packages; enclosed copy of letter of protest to this office.

June 1 Expressed encouragement. Enclosed $10.00 money order.

June 17 Reported items of clothing being forwarded; enclosed $10.00 money order.

June 28 Expressed encouragement at outcome of trial; enclosed $1.00.

June 29 Reported mailing of package containing 2 shirts, 1 necktie, 2 handkerchiefs and 2 pair of drawers.

July 7 Protested refusal of Bureau of Prisons to accept clothing sent to defendants.

The Albany Field Division has advised that OTTO BORSDORF, a former employee of the German Consulate in New York City, advised that he could not seem to recall MERTIG'S appearance or any connection with the Consulate.

On May 10, 1945, the United States Army Exclusion Board rescinded their order excluding subject from the Eastern Defense Command. Subject was originally ordered excluded on June 7, 1943.

A survey recently made of the premises of subject, 317 East 54th Street, reflected that a technical surveillance was not feasible in view of many adverse factors.

As will be reflected in a later stage of this report, subject at the present time is attempting to revive his former GERMAN AMERICAN REPUBLICAN LEAGUE.

On July 2, 1945, Confidential Informant T-2 related that on June 30, 1945, subject dispatched the following letter to a metropolitan newspaper for the purpose of having it included in the letters to the editor section of the paper. This letter is being set out verbatim as it is indicative of subject's mental attitude and present views.

"During the past 12 years the Roosevelt administration has been instrumental in every conceivable way in furthering the cause of the foreign relatives and co-religionists of some four million Jewish American citizens - giving them financial, political and economic succor, and, as an end product, has expended the lives and limbs of hundreds of thousands of American soldiers besides the concomitant suffering of their American families.

"What have we done in Europe since V E Day to restore order and 'make the world safe for the Four Freedoms'? - We act

like the little boy who broke up a watch and then had not the faintest idea how to get it running again. We have not even made an attempt to restore postal, telegraph and phone service, traffic or trade in defeated Germany - a very obvious prerequisite for reconstruction. - In short, we have so far made a terrible mess since V. E Day ! -

"And voluble arguments by such 'experts' as Henry Morgenthau and park bench philosopher Bernard M. Baruch as well as 'Foreign Economic' Administrator (whose prime achievement seems to be to have succeeded in attaching himself to a fat Government pay check), are being so persistently and so cunningly put forward over the radio - and in the editorial columns and the doctored 'news' of the large Jewish controlled majority of the American newspapers - that the control, by persons of German descent, of all German trade and industry must either be utterly destroyed, or turned over very 'patriotically' to 'American' capital.-

"This policy of senseless and revengeful destruction neither represents American traditions nor serves the best interests of this Republic. It will only drag down the white race to its final doom ! -

"The many thousands of young American soldiers of German stock who served on the Western Front were told that only the Nazi regime was to be driven out; and that nothing was held against the German people - but many of these soldiers, whose final resting place turned out to be a grave in the foreign soil of Europe, would turn in their graves, if they could see what right now is being done over there to German women and children, to the war maimed and the aged. -

"There are, however, in the United States 25 to 30 millions of American citizens of German descent, who, no less than those now dead and gone soldiers, are profoundly interested in the welfare of their relatives abroad, who, from hunger and disease, are now suffering pains and anxieties utterly unknown in the country.-

"This large German ancestry contingent of our American citizenry does not yield to any other nationality or race, making up the American family, any slightest admission that its loyalty to this Republic, and to its institutions, is in any degree less than that of anyone else.-

"The American citizens of German stock do not intend to sit idly by to see millions of their kinfolk in Germany die a cruel death by starvation right now, or freeze to death during the coming winter.-

"The very least they have a right to insist right now is that immediate measures be adopted by our American Occupational Forces:

"1) to re-instate postal, telegraph and telephone service, transportation and armeting of food etc. supplies in our occupied zone of Germany;

"2) to permit American citizens to use the mail for sending food packages, clothing and money to their suffering relatives in Germany;

"3) to use our influence in the not yet operative Central Control Commission, in Berlin, to make such facilities also available for the parts of Germany occupied by the British, French and Russians.-

Yours very truly,

GERMAN-AMERICAN REPUBLICAN LEAGUE

/s/ Kurt Mertig

Kurt Mertig, acting chairman"

It was deemed advisable to make additional inquiry regarding subject's present source of income and financial status.

In registering with Local Board No. 40, 139 East 57th Street, New York City, subject stated his occupation to be "salesman." He testified before the Army Exclusion Board and related that his occupation was "merchandise broker" and vendor of "foodstuffs," and, further, that he was employed by the NATIONAL WEEKLIES, Winona, Minnesota.

On June 18, 1941, he borrowed $300.00 from the Personal Loan Department of the MANUFACTURERS' TRUST COMPANY, 711 Lexington Avenue, New York City. He alleged his salary was $1500.00 a year. This loan was repaid in twelve equal monthly installments. There were two previous loans of $300.00 which were also satisfactorily repaid. Subject at the present time

maintains two special checking accounts with nominal balances of $42.00 and $80.00.

CONF. INF. [redacted] whose identity is known to the Bureau, related that he was acquainted with the subject, having met him upon various occasions in the Yorkville or German section of New York City. He stated that MERTIG was constantly defending Germany's course of action in the present war and condemning American political and military policy. He stated that at the present time subject was attempting to revive the German American Republican League, which has been defunct for several years. MERTIG at one time attempted to organize this group in conjunction with his Independent Voters' League; however, this expectation did not materialize and the group was forced to disband because of lack of membership. b7D

Informant related that MERTIG is a busybody at heart who is constantly attempting to interject himself into anything of a political nature. In his opinion MERTIG is a "big jerk" who fancies himself an intellectual. The GERMAN-AMERICAN REPUBLICAN LEAGUE, however, has met with indifferent success up to the present time, and no meetings have been held to date. It was his further opinion that the membership of this organization and of the INDEPENDENT VOTERS' LEAGUE, both sponsored by MERTIG, consisted principally of the activities of MERTIG himself.

He related that subject at the present time distributes various newspapers in the German language which are received from the Midwest. He also related that a supplementary source of MERTIG'S income consisted of collecting subscriptions and advertisements for these various German Midwestern papers. He advised that MERTIG distributed these papers to a number of newspaper stands throughout Yorkville.

[redacted] who is a competent and extremely reliable informant, reiterated that few took MERTIG seriously and that his appeal, if any, was to the lunatic fringe. b7D

SEVERIN WINTERSCHEIDT, 401 East 91st Street, New York City, advised along similar lines. WINTERSCHEIDT was formerly a member, official and publicity man of the GERMAN-AMERICAN BUND. In this category he had occasion to make numerous speeches throughout the German area and knows many German individuals. He related that MERTIG never had any association or affiliation with the GERMAN-AMERICAN BUND or other German Nazi groups in this city, stating that MERTIG could not play a prominent role in these organizations and consequently declined to be a member. He advised that he had not seen MERTIG in several years and was unable to supply any information regarding his present activities.

This individual likewise had a very poor opinion of subject, in so far as intellectual attributes were concerned, and stated that he was too stupid to engage in un-American activities.

JOSEPH SCHEERER, 419 East 86th Street, New York City, was interviewed in view of the fact that he is employed by GEIGERS RESTAURANT, 206 East 86th Street, New York City, long a favorite rendezvous of extremists and German nationalists. Mr. SCHEERER, who has always been very cooperative, related that subject from time to time visits the restaurant for light refreshments such as cakes and coffee, and upon different occasions he is accompanied by men unknown to SCHEERER. On other occasions, however, he has various German newspapers which he apparently is distributing, and on occasions has attempted to solicit newspaper subscriptions from the restaurant.

A spot surveillance maintained upon the residence of subject on three different days reflected that he devoted the principal part of his time to distributing newspapers, collecting subscriptions and writing letters. He remained in his apartment most of the time, receiving no visitors.

Inquiry at Special Squad No. 1, New York City Police Department, which investigates subversive activities, revealed that they have not received any information regarding the recent activities of MERTIG. They advised that so far as they were aware subject was not engaging in political or un-American activities.

Mr. HANS JAEGER, proprietor of the TURN VEREIN, 85th Street and Lexington Avenue, New York City, was also interviewed. This individual is proprietor of HANS JAEGER'S RESTAURANT and owner of the TURN VEREIN, and in such capacity has had business dealings with subject for several years. Subject up until 1940 held the meetings of the INDEPENDENT VOTERS' LEAGUE in the TURN VEREIN. Mr. JAEGER advised that to him subject and his related organizations were business transactions and that he was not friendly with MERTIG. Mr. JAEGER emphasized, however, that subject was not a type of person who would impress anyone or be successful in organizing or conducting any reputa[illegible] type of organization. He advised that subject was constantly inter[illegible] in political matters in which he had interest and stated that he co[illegible] subject to be a busybody of the first character. He related that in vie[illegible] the unfavorable attention received by MERTIG and his INDEPENDENT VO[illegible] LEAGUE, he in April, 1940, refused to permit MERTIG to utilize his bu[illegible]ng as a meeting hall for the INDEPENDENT VOTERS' LEAGUE.

The results of a mail cover placed upon the residence of subject on June 1, 1945, reflected that he received communications from the following sources:

RETURN ADDRESS	POSTMARKED
Box 349 East San Diego, Cal.	San Diego, Cal.
P. O. Box 349 E. San Diego, Cal.	San Diego, Cal. June 5, 1945, 4 P.M.
Eugene Brand (?) 200 E. 86th St. NYC	Station 12 New York, NY June 17, 1945 NYC 2:30 PM
131 Ocean Beach General Delivery, N. Y.	Ocean Beach, NY June 26, 1945 3 PM
P.O. Box 349 East San Diego, Cal.	San Diego, Cal. June 23, 1945 9:30 PM
The Monticello Norfolk, Va.	Norfolk, Va. 6/28/45
U. S. Senate Comm. of Post Office & Post Roads	Washington, D. C. July 1, 1945 8:30 PM
American Red Cross 205 E. 42nd St. NYC	Grand Central Annex New York, NY June 29, 1945 6 PM
P.O. Box 131 Ocean Beach Fire Island, N.Y.	Ocean Beach, NY 6/30/45 7 AM
Mrs. Franken (No return address)	Ocean Beach, N.Y. 6/30/45 7AM

RETURN ADDRESS	POSTMARKED
Mr. C. Kuhre 5353 K'enm Ave. (?) Chicago, Ill. 40	Chicago, Ill. 6/27/45 10:30 A. M. Uptown Sta.
National Weeklies Incorporated Winona, Minn.	Winona, Minn. June 27, 1945 4:30 P. M.
Tobin's Travel Bureau 1240 Peel St. Montreal	Montreal, P.Q. June 21, 1945 8 P.M.
Nat'l Weeklies, Inc. Winona, Minn.	No postmark Newspaper
Loyal Legion & Commandery Protestant War Veterans Wash., D. C.	Wash., D. C. 6/3/45 9 P.M.
Mrs. E. Voss 1045 Woodycrest Ave. Bronx	Bronx 6/4/45 4:30 P.M.
697 E. 219th St. New York, N.Y.	Sec. 562 P. L. & R.
Congress of the U.S. House of Representatives Offi. Business	Washington, D. C. June 2, 1945 3:30 P.M.
P.O. Box 1135 Cincinnati, O.	Cincinnati, O. June 1, 1945 7 A.M.
Dept. of State U.S.A. Washington, D. C. Official Business	Washington, D. C. June 2, 1945 2 P.M.
Nat'l Weeklies Winona, Minn.	Newspaper No postmark

NY 100-16314

RETURN ADDRESS	POSTMARKED
500 Fifth Ave. Room 224 N.Y.C. 18	New York (Meter)
Dept. of State Wash., D. C.	Wash., D. C. 6/15/45 1:30 A. M.
Sontagspoft (?) Wisega (?), Minn.	Printed matter
P.O. Box 349 E. San Diego, Cal.	San Diego, Calif.
Mrs. W. Kehlke 516 E. 84 Street N.Y.C.	Sta. Y, 6/12/45 4 P.M.
Dept. of State Wash., D. C.	Wash., D. C. 6/11/45, 11 P.M.
Money 1165 Broadway NYC	Flushing, NY June 10, 1945 11:30 P.M.
Mrs. R. F. Zakner (?) 416 E. 85 St. NYC	New York, N.Y. June 10, 1945 8:30 P.M.
U. S. Dept. of Justice 70 Columbus Ave., NYC Off. Business	New York, NY June 10, 1945 9 P.M.
Denislain 1668 2nd Ave. NYC	NY 6/10/45 4:30 P.M.
P.O. Box 349 San Diego, Calif.	S. Diego, Calif. 6/8/45 4P.M.
A. Danielson 1516 2nd Ave. N.Y.C. 28	NY 6/11/45 12 P.M.

NY 100-16314

RETURN ADDRESS	POSTMARKED
Local Board #40 139 E. 57th St. NYC 22	G.C.A. 6/11/45 7:30 P.M.
No return card	Brooklyn, NY June 6, 1945 12:30 A.M.
Tobins Travel Bureau 1240 Peel St. Montreal	Montreal, P.Q. 6/14/45 12:30 P.M.
H. R. McBride (?) 365 Park Ave. West Mansfried (?), Ohio	Mansfield, Ohio 6/18/45 2 P.M.
Francis M. Akstuliewiz 33435944 134 MP Co. (Type C) APO #782, % Postmaster	Army Postal Service APO - 6/14
No return address	K - 6/18/45 4:30 P.M.
Lake Mohawk Mountain House Ulster Co., N. Y.	Mohawk Lake, N. Y. 6/18/45 8 P.M.
Selective Service 139 East 57th St.	G.C.A. 6/18/45 7:30 P.M.
Karl Kraus Ellis Is. NYC	Church St. Annex New York, N. Y. June 6, 1945 6:30 P.M.
Mr. M. Gaerbig (?) 2091 3 Ave. N.Y.	Sta. U N.Y. June 8, 1945 7 A.M.

RETURN ADDRESS	POSTMARKED
M. Pfan 457 E. 156 St.	NY, NY Sta. 7 6/20/45 10:30 A. M.
E. Krand 200 E 86 St.	Sta K 6/20/45 3:30 P. M.
M. V. Kieeger 165 E. 118 Str. N.Y. City 35	Station L New York, N. Y. June 26, 1945 11 P.M.
Nat'l Weeklies Inc. Winona, Minn.	Winona, Minn. June 26, 1945 4 P.M.
P.O. Box 349 East San Diego Cal.	Entered Second class San Diego, Cal.
Dept. of State Washington, D. C. Official Business	Washington, D. C. June 27, 1945 5 P.M.
P.O. Box 349 East San Diego 5, Calif. (2nd Class Matter, copies of "The Broom")	(No postmark shown)
James J. Laughlin, R.N. Nat'l Press Bldg. Washington, D. C.	Washington, D. C. June 23, 1945 7 P.M.
Box 131 Ocean Beach, Fire Isl. NY	Ocean Beach, NY June 22, 1945 7 A.M.
M. K. 165 E. 118 Str. N.Y.C. 35	New York, N.Y. June 24, 1945 8:30 P.M.

NY 100-16314

No return card	Bronx Central Annex New York, N. Y. June 26, 1945 8 P.M.
P.O. Box 349 East San Diego, Cal.	San Diego, Cal. June 22, 1945 12:30 P. M.
Post Office Box 349 East San Diego, Calif.	San Diego, Calif. 6/30/45 1 P.M.

- P E N D I N G -

UNDEVELOPED LEADS

ST. PAUL FIELD DIVISION

At Winona, Minn.

Will determine the relationship of subject with NATIONAL WEEKLIES, INC.; in particular it is requested that your office ascertain the duration of his employment with this firm, together with the total salary and commissions paid for the years 1940-1944. Any explanatory data that may be obtained from the above firm regarding the financial status of subject should likewise be forwarded to this office. It is requested that the above lead be expedited.

NEW YORK FIELD DIVISION

At New York City

Will follow and report the present activities of the subject.

CONFIDENTIAL INFORMANTS

The confidential informants referred to in the report of Special Agent Harry D. O'Neill, dated July 17, 1945, at New York City, are identified as follows:

Confidential Informant T-1: Economic Warfare Section of the War Division of the Department of Justice. This material was furnished to the New York Field Division by letter dated July 26, 1944, with instructions that it be inserted in the next report under a temporary confidential informant symbol.

Confidential Informant T-2: [redacted], New York City, who requested that his identity be kept confidential. b7D

WKH:hh
65-20553

Assistant Attorney General Herbert Wechsler
War Division

July 26, 1945

John Edgar Hoover, Director - Federal Bureau of Investigation

KURT HERTIG

110

57063

Reference is made to your telephonic request of July 23, 1945, to Assistant Director D. M. Ladd of the Bureau for available information concerning Kurt Hertig. The pertinent information concerning Hertig in the files of the Bureau has already been made available to the Department. For your assistance in this connection there is set out below a list of reports and memoranda transmitted to the Department concerning this individual.

Memorandum dated April 30, 1942, to Assistant Attorney General Wendell Berge of the Criminal Division entitled "Citizens Protective League, New York City, Kurt Hertig, Mrs. Livingston Rowe Schuyler, Sedition".

Memorandum dated May 6, 1942, to Assistant Attorney General Wendell Berge of the Criminal Division entitled "Kurt Hertig, Citizens Protective League, New York City, Sedition".

Report of Special Agent S. H. Moore dated July 22, 1942, at New York, New York, entitled "Kurt Hertig", transmitted to Assistant Attorney General Wendell Berge on August 25, 1942, and to Mr. L. M. C. Smith on August 21, 1942.

Memorandum dated August 21, 1942, directed to Mr. Lawrence M. C. Smith, entitled "Citizens Protective League".

Report of Special Agent Richard A. Johnson dated September 16, 1942, at New York, New York, entitled "Kurt Hertig" and transmitted to Assistant Attorney General Wendell Berge on September 29, 1942.

Report of Special Agent J. Willis Conger dated October 23, 1942, at Baltimore, Maryland, transmitted to the Division of Records November 19, 1942.

Memorandum entitled Kurt Hertig, Citizens Protective League, New York City, dated October 8, 1942, and transmitted to Assistant Attorney General Wendell Berge.

Report of Special Agent Richard A. Johnson dated November 2, 1942, at New York, New York, entitled "Kurt Hertig" and transmitted to the Division of Records April 12, 1943.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12/15/81 BY SP-1 GSK/BSW/JO

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Hendon
Mr. Pennington
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

AUG 7 - 1945

Assistant Attorney General Herbert Wechsler

Report of Special Agent Richard A. Johnson dated February 26, 1943, at New York, New York, transmitted to Mr. L. M. C. Smith on May 14, 1943, and to the Division of Records on October 6, 1943, entitled "Kurt Mertig".

Memorandum dated May 19, 1943, entitled "Kurt Mertig" transmitted to Mr. Lawrence M. C. Smith.

Memorandum dated July 7, 1943, entitled "Kurt Mertig", transmitted to Mr. Lawrence M. C. Smith.

Memorandum dated July 24, 1943, entitled "Kurt Mertig", transmitted to Mr. Lawrence M. C. Smith.

Memorandum dated July 26, 1943, entitled "Kurt Mertig", transmitted to Mr. Lawrence M. C. Smith.

Memorandum dated August 20, 1943, entitled "Kurt Mertig", transmitted to Mr. Edward J. Ennis of the Alien Enemy Control Unit.

Memorandum dated August 31, 1943, entitled "Kurt Mertig", transmitted to Mr. Lawrence M. C. Smith.

Memorandum dated September 3, 1943, entitled "Kurt Mertig", transmitted to Mr. Lawrence M. C. Smith.

Memorandum dated September 9, 1943, entitled "Individuals Listed by Kurt Mertig for Repatriation", transmitted to Mr. Edward J. Ennis of the Alien Enemy Control Unit.

Memorandum dated September 10, 1943, entitled "Kurt Mertig", transmitted to Mr. Tom C. Clark of the Criminal Division.

Report of Special Agent Clement A. O'Brien dated October 2, 1943, at New York, New York, transmitted to the Criminal Division on October 14, 1943.

Memorandum dated October 12, 1943, entitled "Kurt Mertig", transmitted to Mr. Tom C. Clark of the Criminal Division.

Memorandum dated October 18, 1943, entitled "Kurt Mertig", transmitted to Mr. Tom C. Clark of the Criminal Division.

Memorandum dated October 19, 1943, entitled "Kurt Mertig", transmitted to Mr. Tom C. Clark of the Criminal Division.

Memorandum dated November 22, 1943, entitled "Kurt Mertig", transmitted to Mr. Tom C. Clark of the Criminal Division.

Assistant Attorney General Herbert Wechsler

Memorandum dated November 23, 1943, entitled "Kurt Hertig" and transmitted to Mr. Tom C. Clark of the Criminal Division.

Memorandum dated November 23, 1943, entitled "Kurt Hertig" and transmitted to Mr. Edward J. Ennis of the Alien Enemy Control Unit.

Memorandum dated December 20, 1943, entitled "Kurt Hertig" and transmitted to Mr. Tom C. Clark of the Criminal Division.

Memorandum dated December 21, 1943, entitled "Kurt Hertig" and transmitted to Mr. Tom C. Clark of the Criminal Division.

Memorandum dated January 26, 1944, entitled "Kurt Hertig" and transmitted to Mr. Tom C. Clark of the Criminal Division.

Memorandum dated February 21, 1944, entitled "Kurt Hertig" and transmitted to Mr. Tom C. Clark of the Criminal Division.

Report of Special Agent Walter H. Nelson dated February 26, 1944, at New York, New York, entitled "Kurt Hertig" and transmitted to the Criminal Division March 13, 1944.

Memorandum dated March 14, 1944, entitled "Kurt Hertig" and transmitted to Mr. Tom C. Clark of the Criminal Division.

Memorandum dated September 14, 1944, entitled "Kurt Hertig" and transmitted to Mr. Tom C. Clark of the Criminal Division

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

DML:MMC

TO : Mr. E. A. Tamm

DATE: July 23, 1945

FROM : Mr. D. M. Ladd

Call: 4:35

SUBJECT: KURT MERTIG

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/5/81 BY SP-1 GSL/SSA/RLS

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Mohr
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Jones
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

Assistant Attorney General Wechsler inquired if the Bureau has any information on Kurt Mertig, Chairman of an organization called The Citizens Protective League of 317 East 54th Street, New York City. The Attorney General has received some letters from him and Mr. Wechsler desired to know something about him before advising a reply. Mr. Wechsler indicated Mertig appeared to be organizing a propaganda campaign against the Alien Enemy program.

EX-2 RECORDED 65-20553-110

He was advised we have information on him and will furnish it to him by memorandum.

File 5

Memo to Wechsler 7-26-45 WKK